

Buffalo and Erie County Industrial Land Development Corporation Joint Annual Board of Directors Meeting & Annual Meeting of the Members

ECIDA Offices 95 Perry Street, 4th Floor Conference Room Buffalo, New York 14203

April 23, 2025 at 12:45 p.m.

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1	.0	('all	to	Order

2.0 Approval of Minutes

- 2.1 Approval of the March 26, 2025 Minutes of the Meeting of the Membership (Action Item) (Pages 2-6)
- 3.0 Reports / Action Items / Information Items:
 - 3.1 Financial Report (Informational) (Pages 7-10)
 - 3.2 Annual Report of Directors (Informational) (Page 11)
 - 3.3 Loan Status Report (Informational) (Page 12)
 - 3.4 Nominating Committee Update
 - a) Election of Officers/Committee Appointments (Action Item) (Pages 13-15)
 - 3.5 Renaissance Commerce Park WYE Yard Rail Relocation Project SEQR Determination (Action Item) (Pages 16-91)
 - 3.6 Erie County Funding Agreement (Action Item) (Pages 92-95)
- 4.0 Management Team Reports:

4.1

5.0 Adjournment- Next Meeting May 28, 2025

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE

BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION (ILDC)

DATE AND PLACE: March 26, 2025, at the Erie County Industrial Development Agency,

95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

PRESENT: Denise Abbott, Daniel Castle, Richard Lipsitz, Jr., Hon, Timothy

Meyers and Hon. Taisha St. Jean Tard

EXCUSED: Hon. Mark Poloncarz and Hon. Christopher Scanlon

OTHERS PRESENT: John Cappellino, President & CEO; Mollie Profic, Chief Financial

Officer; Beth O'Keefe, Vice President of Operations; Jerry Manhard, Chief Lending Officer; Grant Lesswing, Director of Business Development; Carrie Ann Hocieniec, Operations Assistant/ Assistant Secretary; Soma Hawramee, Compliance Portfolio Manager, Brian Krygier, Director of Information Technology; Atiqa Abidi, Accounting Manager; Andrew Federick, Property and Business Development Officer; Robbie Ann McPherson, Director of Marketing & Communications and Robert G. Murray, Esq., General

Counsel/Harris Beach Murtha

GUESTS: Zaque Evans and Michael Szukala on behalf of Erie County; Yessica

Vasquez on behalf of City of Buffalo; Jonathan Epstein on behalf of

Business News

There being a quorum present at 1:35 p.m., the Meeting of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation (the "ILDC") was called to order by Vice Chair, Mr. Lipsitz, who presided over the meeting in the absence of Chair Poloncarz.

MINUTES

Ms. Abbott moved, and Mr. Castle seconded to approve of the January 22, 2025 minutes. Mr. Lipsitz called for the vote, and the minutes were unanimously approved.

REPORTS / ACTION ITEMS / INFORMATION ITEMS

Financial Report. Ms. Profic presented the February financial reports. The balance sheet shows that the ILDC finished the month with total assets of \$14.6M. The cash decrease from January is the result of the repayment to ECIDA of \$2.3M of borrowed UDAG funds with grant funds. Liabilities of \$7.2M are amounts owed to ECIDA and deferred grant revenue. The corresponding decrease with cash and amounts owned to ECIDA. Net assets were \$7.4M. The February income statement shows \$3,700 of revenue, \$3,500 of expenses and \$18,000 of net special project revenue. Factoring in non-operating income there was a net income of \$18,246 in February. The year-to-date income statement shows operating revenues of \$7,000 and expenses of \$18,000. Special project revenue of \$18,000 and \$500 of non-operating income lead to net income of \$7,176 so far in 2025. Mr. Lipsitz directed that the report be received and filed.

Finance and Audit Committee Update. Ms. Profic introduced Mr. Szukala, Chair of the Finance & Audit Committee, to the Board. Ms. Profic provided members with an update on the most recent Finance & Audit Committee meeting. She advised that the Agency's auditors, Lumsden McCormick, presented a draft of the 2024 audited financial statements. Ms. Profic reviewed the three main points of the presentation were an unmodified (clean) opinion on the financial statements, there were no uncorrected audit adjustments, and there were no material weaknesses or significant deficiencies noted (no management letter comments). The Committee also reviewed and recommend the items listed under #2-#4 for approval or re-adoption: 2024 Public Authorities Report, 2024 Investment Reports, and Investment & Deposit Policy. The Committee also approved the Finance & Audit Committee Self-Evaluation and reviewed Management's Assessment of the Effectiveness of Internal Controls and Corporate Credit Card usage.

The Committee Self-Evaluation was provided in the Board package. Each year the Committee completes a self-evaluation, as required by the Committee Charter. In 2024, the Committee officially convened a total of five times and fulfilled its duties as documented. Mr. Lipsitz directed that the report be received and filed.

Audited Financial Statements. Ms. Profic reviewed the draft 2024 audited financial statements, required communications, and management letter. Lumsden's required communications with those charged with governance, which documents the auditors' responsibility related to the financial statement audit, notes that there were no matters of concern that arose related to the significant risks identified, a summary of accounting estimates made within the financials, that there were no uncorrected audit adjustments, and no disagreements with management. Ms. Profic mentioned, an unmodified opinion was issued on the statements. The management letter noting no significant deficiencies or material weaknesses. The Representation Letter will be signed once the audit is approved by the board. The draft financial statements were provided in the Board package. As a public authority, the Agency's financial statements are prepared based on Governmental Accounting Standards and include a Management's Discussion and Analysis section, which provides a condensed overview of the statements. The balance sheets show total assets of \$17.1M at December 31, 2024, a \$52,000 decrease from the end of 2023. Current assets increased \$485,000, due to a \$3.3M increase in

cash and a \$2.8M decrease in grants receivable. Non-current assets decreased \$537,000 from \$7.4M to \$6.9M due mainly to a decrease in land held for sale. Liabilities increased \$128,000. due to an increase in unearned revenue associated with grants awarded but not yet spent/earned. ILDC has been borrowing funds from ECIDA's UDAG fund to cash flow projects at RCP that are being funded with reimbursable grants, with \$4.2M due to ECIDA at the end of 2024. There was a decrease in net position of \$179,000. The statements of revenues, expenses, and changes in net position (income statements) detail the change in net position for the year. Operating revenues of \$491,000 include a bond administrative fee of \$337,000, a book gain on land held for sale, and interest on loans. Operating expenses of \$560,000 consists mainly of the \$357,000 transferred to ECIDA (mostly the bond fee), plus \$151,000 of general & administrative costs. The provision for uncollectible loans was \$47,000 for 2024. Most of the microloans have a forgiveness component if a certain amount of principal is paid as agreed. What this provision for uncollectible loans does is recognize the best-case scenario, where borrowers are repaying 50% or 60% of their loan and the rest being forgiven. Special project grants include income and expenses related to grants - including \$1.2M from ESD and EDA related to sewer work at RCP. Grant expenses of \$1.6M are mainly related to RCP. Overall, there was a decrease in net position of \$179,000 in 2024, compared to an increase of \$236,000 in 2023. The cash flows statement details the changes in cash each year. The remainder of the financials are the notes and supplementary information. These drafts were reviewed and discussed in detail with the Finance & Audit Committee on March 20, and they recommended approval to the Board. We will continue to work with Lumsden McCormick to file IRS Form 990.

Mr. Castle moved and Mr. Meyers seconded to approve of the audited financial statements. Mr. Lipsitz called for the vote and the audited financial statements were unanimously approved.

2024 Investment Report. Ms. Profic reviewed this report which is required by Public Authorities Law and includes ILDC's investment guidelines, the results of our annual audit of these guidelines, and detail of investment income and fees for the year. The accounts held by the Corporation has \$10,500 of investment income was earned on these accounts during 2024, compared to \$6,400 in 2023, and no fees were paid. The majority of the investment income earned is remitted back to ESD under the terms of their grant agreement. This report was reviewed by the Finance & Audit Committee at their March 20 meeting and recommended to the Board for approval.

Ms. Abbott moved and Mr. Meyers seconded to approve of the 2024 Investment Report. Mr. Lipsitz then called for the vote and the 2024 Investment Report was unanimously approved.

Governance Committee Update: Ms. McDuffie provided the Board members with an update on the most recent Governance Committee meeting and the self-evaluations of the Committee and the Board of Directors. Mr. Lipsitz directed that the report be received and filed.

<u>ILDC Loan Status Report</u>. Mr. Manhard provided this report to Board members. Mr. Lipsitz directed that the report be received and filed.

<u>RCP Brownfield Cleanup Program.</u> Mr. Cappellino provided members with an update on the RCP Brownfield Cleanup Program extension and legislation updated. Mr. Lipsitz directed that the report be received and filed.

ANNUAL REPORTS & POLICIES

2024 Mission Statement, Performance Measures and Results. Ms. O'Keefe reviewed the 2024 Mission Statement, Performance Measures and Results. This statement and measures were reviewed by the Governance Committee at their meeting on March 19th and has been recommended to the Board for approval.

Ms. Abbott moved and Mr. Meyers seconded to approve of the 2024 Mission Statement, Performance Measures and Results. Ms. McDuffie called for the vote and the 2024 Mission Statement, Performance Measures and Results was unanimously approved.

<u>2025 Mission Statement and Performance Measures.</u> Ms. O'Keefe reviewed the 2025 Mission Statement and Performance Measures, This statement and performance measures were reviewed by the Governance Committee at their meeting on March 19th and has been recommended to the Board for approval.

Ms. Abbott moved and Mr. Meyers seconded to approve of the 2025 Mission Statement and Performance Measures. Ms. McDuffie called for the vote and the 2025 Mission Statement and Performance Measures was unanimously approved.

2024 Public Authorities Report. Ms. Profic reviewed the 2024 Public Authorities Report. Ms. Profic stated as a Public Authority of the State of New York, ECIDA and its affiliates are required to comply with the NYS Public Authorities Law and submit a comprehensive annual report including information on several topics. Several of the items are covered by other documents, like the operations and accomplishments and financial statements, which are note throughout the document. The third item, Mission Statement & Performance Measurements, is updated each year with actual results. Many of the items included are standard from year to year and are also approved or re-adopted by the Board annually and was updated for 2023 to update the work underway at ILDC-owned properties, the RDC's lending activity, and the approval of the Economic Inclusion Policy. Attachments include outstanding bond information, salary & benefit information, projects undertaken by each entity, our Property Report, Board Member attendance, and the Procurement Reports for each entity. Once approved, the certification will be signed by Mr. Cappellino and Ms. Profic and the report will be posted to the website. This report was reviewed by the Governance Committee at their meeting on March 20th and the Finance & Audit Committee at their meeting on March 21st and has been recommended to the Board for approval.

Ms. Abbott moved and Mr. Meyers seconded to approve of the 2024 Public Authorities Report. Ms. McDuffie called for the vote and the 2024 Public Authorities Report was unanimously approved.

RE-ADOPT POLICIES AND CHARTERS

Ms. Profic noted that Items 4(d)-4(i) on the agenda are either re-adoptions of policies or approvals, as required by the ABO. Harris Beach Murtha has reviewed each of the items for any pertinent updates and have communicated to us minor updates for items: (d) Airborne Infectious Disease Policy, (e) FOIL Policy, (f) Investment and Deposit Policy, (g) Property Disposition Guidelines; (h) Record Retention and Disposition Policy, and (i) Sexual Harassment Policy. All the policies were reviewed with either the Governance or Finance & Audit Committee and recommended to the Board for approval. Ms. Abbott moved and Mr. Castle seconded to approve of the various policies and charters as itemized below. Mr. Lipsitz called for the vote and the following policies and charters were then unanimously approved:

- Airborne Infectious Disease Policy
- Freedom of Information Law (FOIL)
- Investment and Deposit Policy
- Property Disposition Guidelines
- Record Retention and Disposition Policy
- Sexual Harassment Policy

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 1:55 p.m.

Dated: March 26, 2025

Elizabeth A. O'Keefe, Secretary

Industrial Land Development Corp.

Financial Statements
As of March 31, 2025

INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC") Balance Sheet

March 31, 2025

	 March 2025	Fe	ebruary 2025	De	cember 2024
ASSETS:			•		
Restricted Cash *	\$ 1,470,792	\$	1,408,566	\$	3,672,036
Grants Receivable	6,185,177		6,185,177		6,413,558
Loans Receivable, net	385,147		394,741		364,170
Prepaid Acquisition Costs	706,077		705,372		705,372
Total Current Assets	8,747,193	0	8,693,856		11,155,136
Capital Assets	5,941,332		5,941,332		5,941,332
Total Assets	\$ 14,688,524	\$	14,635,188	\$	17,096,468
LIABILITIES & NET ASSETS:					
Accounts Payable	\$ 1,750	\$	1,530	\$	66,803
Due to/(from) ECIDA	2,165,651		1,913,176		4,249,733
Other Liabilities	5,126,514		5,306,507		5,373,133
Total Liabilities	7,293,914		7,221,213		9,689,668
Restricted Fund Balance	7,394,610		7,413,975		7,406,799
	\$ 14,688,524	\$	14,635,188	\$	17,096,468

Loan Portfolio Summary:	March 2025	February 2025	December 2024
# of Loans	41	42	42

^{*} Cash is invested in interest bearing accounts at M&T Bank. The maximum FDIC insured amount is \$250,000 with the remainder collateralized with government obligations by the financial institution.

INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")

Income Statement

Month of March 2025

	Actual vs. Budget					
		Actual	Budget		٧	ariance
REVENUES:						
Interest Income - Loans	\$	1,710	\$	1,600	\$	110
Grant Income - Microloan Program		-		19,500		(19,500)
Operational Grant		-		20,800		(20,800)
Other Income		1,750		2,000		(250)
Total Revenues		3,460		43,900		(40,440)
EXPENSES:						
Management Fee - ECIDA	\$	14,500	\$	14,500	\$	-
Professional Services		5,329		3,800		1,529
General Office Expenses		-		400		(400)
Other Expenses		_		600		(600)
Total Expenses		19,829		19,300		529
SPECIAL PROJECT GRANTS:						
Industrial Land Park - ESD		156,786		138,500		18,286
Industrial Land Park - ECIDA		(308)		8,300		(8,608)
Angola Ag Park - ECIDA Grant		308		2,100		(1,793)
Other grant revenue		21,534		21,300		234
Industrial Land Park costs		(159,902)		(146,800)		(13, 102)
Angola Ag Park costs		(206)		(2,100)		1,894
Other grant expenses		(21,534)		(29,700)		8,166
Total Special Project Grants		(3,322)		(8,400)		5,078
NET OPERATING INCOME/(LOSS):	?	(19,691)		16,200		(35,891)
NONOPERATING REVENUE:						
Interest Income		326		200		126
Total Nonoperating Revenue		326		200		126
NET INCOME/(LOSS):	\$	(19,365)	\$	16,400	\$	(35,765)

^{*} Represents an allocation of salary and benefit costs from the ECIDA based on time charged to ILDC. The amount booked is currently based on 2025 budget.

INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")

Income Statement

Year to Date: March 31, 2025

	Actual vs. Budget					Actual vs. Prior Year					
	Actual	5	Budget	٧	ariance		Actual	P	rior Year	٧	/ariance
REVENUES:											
Interest Income - Loans	\$ 5,381	\$	4,800	\$	581	\$	5,381	\$	4,704	\$	676
Grant Income - Microloan Program	-		58,500		(58,500)		-		-		
Operational Grant	-		62,500		(62,500)		-		-		-
Other Income	5,250		5,900		(650)		5,250		-		5,250
Total Revenues	10,631		131,700		(121,069)		10,631		4,704		5,926
EXPENSES:											
Management Fee - ECIDA	\$ 43,500		43,500		_	\$	43,500	\$	6,000	\$	37,500
Professional Services	5,329		11,400		(6,071)	•	5,329	•	4,510	*	819
General Office Expenses	521		1,300		(779)		521		422		99
Other Expenses	(237)		1,800		(2,037)		(237)		(100)		(137)
Total Expenses	38,138		58,000		(19,862)	-	38,138		10,832		27,306
SPECIAL PROJECT GRANTS:											
Industrial Land Park - ESD	178,591		415,500		(236,909)		178,591		52,717		125,874
Industrial Land Park - ECIDA	100,167		25,000		75.167		100,167		79,963		20,204
Angola Ag Park - ECIDA Grant	· -		6,300		(6,300)		-		-		-
Other grant revenue	62,984		64,000		(1,016)		62,984		3.947		59,037
Industrial Land Park costs	(261, 251)		(440,500)		179,249		(261,251)		(133,980)		(127,272)
Angola Ag Park costs	(3,041)		(6,300)		3,259		(3,041)		(4,511)		1,470
Other grant expenses	(62,984)		(89,000)		26,016		(62,984)		(3,947)		(59,037)
Total Special Project Grants	14,466		(25,000)		39,466		14,466		(5,810)		20,276
NET OPERATING INCOME/(LOSS):	(13,042)		48,700		(61,742)	-	(13,042)		(11,938)		(1,104)
NONOPERATING REVENUE:											
Interest Income	853		500		353		853		451		402
Total Nonoperating Revenue	853		500		353		853		451		402
NET INCOME/(LOSS):	\$ (12,189)	\$	49,200	\$	(61,389)	\$	(12,189)	\$	(11,487)	\$	(702)

^{*} Represents an allocation of salary and benefit costs from the ECIDA based on time charged to ILDC. The amount booked is currently based on 2025 budget.



MEMORANDUM

TO:

Buffalo & Erie County Industrial Land Development Corporation Members

FROM:

Mollie Profic, CFO

SUBJECT:

Annual Report of Directors

DATE:

April 23, 2025

Under Section 519 of the New York State Not-for-profit Corporation Law, ILDC is required to present an annual report at its annual member meeting. The annual report is to include 1) information on the assets and liabilities of ILDC as of the end of the prior fiscal year, 2) the principal changes in assets and liabilities during the prior fiscal year, 3) the revenue or receipts of ILDC during the prior fiscal year, 4) the expenses or disbursements of ILDC during the prior fiscal year and 5) The number of members of ILDC as of the date of the report, together with a statement of increase or decrease in the number of members during the prior fiscal year and a statement of the place where the names and places of residence of the current members may be found.

The audited financial statements were approved by ILDC's Board of Directors at their March 26, 2025 meeting and were presented to the ILDC members in order to satisfy the first four requirements noted above. A copy of the audited financial statements can be located at http://www.ecidany.com/about-us-corporate-reports.

In satisfaction of the final requirement of the NYS Not-for-profit Corporation Law, ILDC has 1 membership position at April 23, 2025 which is the same as reported at the prior year's annual meeting. The name of the member of ILDC may be found at: http://www.ecidany.com/about-us-board-of-directors while the places of residence of current board members may be found at the ILDC offices at 95 Perry Street, Suite 403, Buffalo, New York 14203.



Loan Status ReportApril 2025

ILDC Loans Approved Since Last Meeting NONE.	Municipality	Amount
ILDC Loans Closed Since Last Meeting NONE.	Municipality	Amount
Loans in Closing Process NONE.	Municipality	Amount
Loans in the Pipeline NONE.	Municipality	Amount

2025 - Loans Approved	YTD Loan Total	Jobs to be Created	Retained Jobs
2	\$55,000	2	1

Loan Portfolio Performance

Past Due Loans:

Loan	Outstanding Balance	Amount Past Due	Days Past Due	Comments
Kevin Thie d/b/a Buffalo Firewood	\$34,723	 \$2,349	360+	Borrower Chapter 7 bankruptcy has been discharged. No proceeds available to distribute to creditors.
Wild Discs, LLC	\$32,201	\$2,014	360+	Filed Judgment, garnishing wages, Filed Bankruptcy -Feb, 2025
L&B Transportation	\$27,041	\$1,007	90+	Moved to Alabama, business closed, Process of filing judgment

Portfolio Delinguency Rate (Past Due Outstanding Loan Balance divided by Portfolio Balance):

\$93,965 / \$1,056,995 = 8.9% Delinquency Rate (41 Loans)

ILDC Funds Available to Lend: \$181,440

2025 - 2026 ECIDA/RDC/ILDC Board Committees & Officers

Executive Committee ECIDA/RDC	Current Committee Members	Proposed Committee Members
7 Board members,	Chair - Brenda McDuffie (Chair)	Chair - Brenda McDuffie (Chair)
President & CEO, as	Vice Chair - Richard Lipsitz	Vice Chair – Denise Abbott
specified in By-Laws	County Executive - Hon Mark	County Executive - Hon Mark
	Poloncarz	Poloncarz
	Mayor Buffalo – Hon. Christopher	Mayor Buffalo – Hon. Christopher
	Scanlon	Scanlon
	Hon. Joseph Emminger (Chair, RDC	Hon. Joseph Emminger (Chair, RDC
	Loan Committee)	Loan Committee)
	Glenn Nellis - (Representing the	Glenn Nellis - (Representing the
	Finance & Audit Committee)	Finance & Audit Committee)
	Ken Schoetz (Chair, Loan Write-Off)	Ken Schoetz (Chair, Loan Write-Off
		Committee)
	President & CEO John Cappellino	President & CEO John Cappellino
	[non-voting]	[non-voting]

Finance & Audit Committee ECIDA/RDC/ILDC	Current Committee Members	Proposed Committee Members		
At least 3 Board members specified in By-Laws. Not less than 3 independent members per PAL.	Michael Szukala (Chair)	Michael Szukala (Chair)		
	Penny Beckwith (M&T)	Penny Beckwith (M&T)		
	Patrick Boyle	Patrick Boyle		
•	Allison DeHoney	Allison DeHoney		
3-4 Meetings a Year	Thomas Emmerling*	Thomas Emmerling*		
	Glenn Nellis*	Glenn Nellis*		
	Hon. Brian Nowak*	Hon. Brian Nowak*		
	William Witzleben (M&T)	William Witzleben (M&T)		

Governance Committee ECIDA/RDC/ILDC	Current Committee Members	Proposed Committee Members		
At least 3 Board members	Brenda McDuffie* (Chair)	Brenda McDuffie* (Chair)		
specified in By-Laws. Not less than 3 independent members per PAL. 1-2 Meetings a Year	Thomas Baines	Thomas Baines		
	Zaque Evans	Zaque Evans		
	Hon. John Gilmour	Jackie Hall		
	Tyra Johnson*	Tyra Johnson		
	Hon. Brian Kulpa	Hon. Brian Kulpa		
	Hon. Christopher Scanlon	Ken Schoetz*		
	Ken Schoetz*	Hon. Taisha St. Jean Tard*		
	David State	David State		

^{*}Board members who fill seats required by By-laws
Nominating Committee Approved Date – April 1, 2005 Board Approved Date – April 23, 2025

2025 - 2026 ECIDA/RDC/ILDC Board Committees & Officers

Loan Committee ECIDA/RDC	Current Committee Members	Proposed Committee Members
By-Laws specify no more	Hon. Joseph Emminger	Hon. Joseph Emminger
than 5 members of the	(Chair)	(Chair)
Policy Committee plus 2	Denise Abbott	Denise Abbott
City members and 1 County member	[City 2] Rebecca Gandour	Patrick Boyle
	[Other] Nancy LaTulip	[City 2] Rebecca Gandour
6-12 Meetings a Year	[County 1] David McKinley	[Other] Nancy LaTulip
o se meetings a rear	(Community Bank N.A.)	
	[Other] Michael Taylor	[County 1] David McKinley
	(Pursuit Lending)	(Community Bank N.A.)
	[City 1] Royce Woods (Evans	Hon. Brian Nowak
	Bank)	
		Hon. Taisha St. Jean Tard
		[Other] Michael Taylor
		(Pursuit Lending)
		[City 1] Royce Woods (Evans
	L	Bank)

Loan Write-off Committee ECIDA/RDC/ILDC	Current Committee Members	Proposed Committee Members
At least 3 Board	Ken Schoetz*(Chair)	Ken Schoetz*(Chair)
members specified in	Penny Beckwith (M&T)	Penny Beckwith (M&T)
By-Laws	Tyra Johnson*	Tyra Johnson*
	Brian Nowak*	Brian Nowak*
1 Meeting a Year	William Witzleben (M&T)	William Witzleben (M&T)

Compensation Committee ECIDA	Current Committee Members	Proposed Committee Members	
No by-law requirement	Hon. Mark Poloncarz (Chair)	Hon. Mark Poloncarz (Chair)	
	Rev. Mark Blue	Denise Abbott	
1-2 Meetings a Year	Michael Hughes	Rev. Mark Blue	
	Richard Lipsitz	Brenda McDuffie	
	Brenda McDuffie	Hon. Timothy Myers	
	Ken Schoetz	Ken Schoetz	

Nominating Committee ECIDA/RDC/ILDC	Current Committee Members	Proposed Committee Members
No by-law requirement	Hon. Mark Poloncarz (Chair)	Hon. Mark Poloncarz (Chair)
	Rev. Mark Blue	Dr. Lavonne Ansari
1 Meeting a Year	Zaque Evans	Rev. Mark Blue
	Richard Lipsitz	Brenda McDuffie
	Ken Schoetz	Ken Schoetz

^{*}Board members who fill seats required by By-laws
Nominating Committee Approved Date – April 1, 2005 Board Approved Date – April 23, 2025

2025 - 2026 ECIDA/RDC/ILDC Board Committees & Officers

Policy Committee ECIDA/RDC	Current Committee Members	Proposed Committee Members
At least 3 Board members	Richard Lipsitz* (Chair)	Denise Abbott (Chair)
specified in By-Laws	Denise Abbott	A.J. Baynes
10-12 Meetings a year	Hon. April Baskin	Rev. Mark Blue*
zo zz wiecungs a year	A.J. Baynes	Zaque Evans
	Rev. Mark Blue*	Gregory Inglut
	Hon. Byron Brown	Richard Lipsitz
	Zaque Evans	Susan McCartney
	Gregory Inglut	Brenda McDuffie*
	Susan McCartney	Glenn Nellis
	Brenda McDuffie*	Hon. Brian Nowak
	Glenn Nellis	Peter Petrella
	Laura Smith	Hon. Christopher Scanlon
	David State	Laura Smith
	Lavon Stevens	David State
	Paul Vukelic	Lavon Stevens

	Current	Current Officers			Proposed Officers		
OFFICERS	ECIDA	RDC	ILDC	ECIDA	RDC	ILDC	
Chair	Brenda N	AcDuffie	Hon. Mark Poloncarz	Brenda McI	Ouffie	Hon. Mark Poloncarz	
Vice Chair	Richard I	_ipsitz		Denise Abbo	ott		
President & CEO	John Cap	pellino		John Cappellino			
Vice President	Mollie Pr	Mollie Profic, Beth O'Keefe			Mollie Profic, Beth O'Keefe		
Treasurer	Mollie Pr	Mollie Profic		Mollie Profic			
Assistant Treasurers	Jerry Manhard, Atiqa Abidi, Daryl Spulecki Jerry Manhard, Atiqa Abidi, Daryl S		bidi, Daryl Spulecki				
Secretary	Beth O'K	Beth O'Keefe		Beth O'Keefe			
Assistant Secretaries	Jerry Manhard, Carrie Hocieniec Jerry Manhard, Carrie Hocieniec			Hocieniec			

OTHER DESIGNATED	Designated Positions	Designated Positions	
POSITIONS			
Chief Financial Officer	Mollie Profic	Mollie Profic	
Accounting Manager	Atiqa Abidi	Atiqa Abidi	
Chief Lending Officer	Jerry Manhard	Jerry Manhard	
Contracting Officer	Mollie Profic	Mollie Profic	
(required in Property			
Disposition Policy)			
Electronic Records	Brian Krygier	Brian Krygier	
Retention Officer			
Ethics Officer	John Cappellino	John Cappellino	
(required in Conflict of			
Interest Policy)			
FOIL Officer	Robbie Ann McPherson	Robbie Ann McPherson	
FOIL Appeals Officer	John Cappellino	John Cappellino	
Human Resources Officers	Mollie Profic, Pat Smith	Mollie Profic, Pat Smith	
Non-electronic Records	Carrie Hocieniec	Carrie Hocieniec	
Retention Officer			

^{*}Board members who fill seats required by By-laws
Nominating Committee Approved Date – April 1, 2005 Board Approved Date – April 23, 2025



public infrastructure on Renaissance Commerce Park with another nearly \$12,000,000 planned for future projects as described above.



Project Description

In 2021, the ILDC executed a Purchase Sale Agreement (PSA) with Tecumseh Redevelopment for an additional 90 acres of land (Phase 2 Purchase) on Renaissance Commerce Park (RCP), which includes a parcel (Parcel #1) that is partially encumbered by the South Buffalo Railway Company (SBR) rail line. The contract contemplates a "phased" closing process meaning that there are several closing dates for the various parcels involved in the transaction. The Phase 2b (Parcel #1) closing is conditioned upon relocation of the rail tracks, with the mutual cooperation of Tecumseh, SBR, and ILDC, to allow full redevelopment of the 40-acre parcel.

A significant portion of Parcel #1 is encumbered with railroad facilities owned, operated, and maintained by SBR, which is approximately 19,000 feet of railroad tracks, together with bridges and other facilities at the site (Railroad Facilities). SBR currently uses its WYE Yard, located on Parcel #1, to store customer rail cars in the short and long term. The current placement of the Railroad Facilities makes it impossible to derive economic benefit from the parcel, including attracting private investment to create capital investment and jobs on the acreage.

To induce the ILDC's acquisition and redevelopment of the parcel, and to preserve SBR's business operations in and around the site, including serving existing and potential new customers at the property, the Railroad Facilities and underlying easements need to be relocated to an agreed upon site.

Tecumseh has agreed to convey the Relocation Parcel, the POCO Yard (west of Parcel #1 – see map below), to SBR at no cost to facilitate the relocation of Railroad Facilities and remove encumbrances from Parcel #1 for future development by the ILDC.

Project Status - Environmental Review

In October 2023 the ILDC Board of Directors approved a contract with C&S Companies (C&S) to conduct the design and engineering of the WYE Yard Rail Relocation Project. Over the past 18 months C&S has worked with the ILDC and the WYE Yard Rail Relocation Project working group on conducting the various components of the design and engineering process with an anticipated completion of this phase slated for late this spring or early summer.

One of the major components of the design and engineering phase is the environmental review of the project via the New York State Environmental Quality Review Act process (SEQR). The SEQR process for the WYE Yard project has been underway for several months and is near competition after the Environmental Assessment Form (EAF) comment period for involved agencies closed earlier this month. The final step in the process is a determination by the lead agency, in this case the ILDC Board of Directors, based on a review of the EAF parts 1, 2 and 3.

Staff Recommendation



The ILDC staff has reviewed Parts 1, 2 and 3 of the EAF and related documents and materials and believes that the project will result in no significant adverse environmental impacts thus warranting issuance of a negative declaration

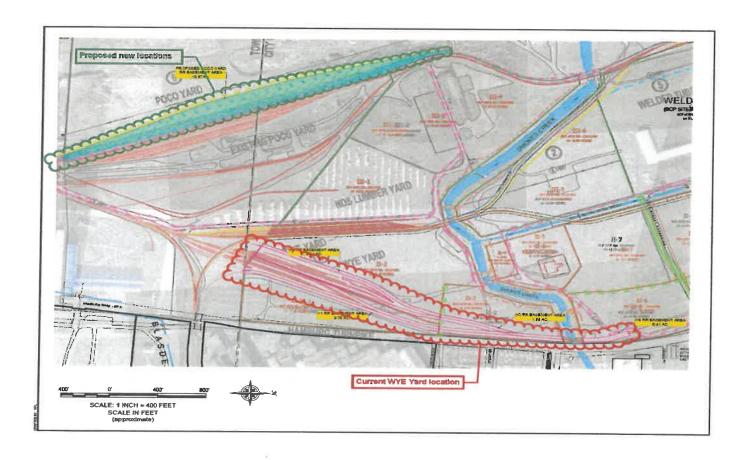


under the New York State Environmental Quality Review Act (SEQR).

Requested Actions

Seeking approval from the ILDC Board of Directors to issue a negative declaration under SEQR on behalf of the ILDC as lead agency for the WYE Yard Rail Relocation Project.

Project Map



Full Environmental Assessment Form Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Project Location (describe, and attach a general location map): Portion of 2303 Hamburg Turnpike (NYS Route 5), Buffalo, NY. See Attached Figure 1 Brief Description of Proposed Action (include purpose or need): The proposed project consists of the deconstruction and relocation of a rail bed and tracks, proposed project site adjacent to NYS Route 5. The proposed rail bed and tracks will be located to the proposed project site adjacent to the project s	ated adjacent to existing track s		
Brief Description of Proposed Action (include purpose or need): The proposed project consists of the deconstruction and relocation of a rail bed and tracks. Proposed project site adjacent to NYS Route 5. The proposed rail bed and tracks will be located to the proposed project site adjacent to the proposed rail bed and tracks will be located to the proposed project site adjacent to the project site	ated adjacent to existing track s		
The proposed project consists of the deconstruction and relocation of a rail bed and tracks. proposed project site adjacent to NYS Route 5. The proposed rail bed and tracks will be located to the proposed rail bed and tracks will be located to the proposed rail bed and tracks will be	ated adjacent to existing track s		
proposed project site adjacent to NYS Route 5. The proposed rail bed and tracks will be loc	ated adjacent to existing track s		
provide an expansion of the existing service. The project relocates rail which provides site flushile preserving the necessary rail infrastructure in the area.	exibility for future project oppor	south of the solar installation to	
Name of Applicant/Sponsor:	Telephone: (716) 856-652	5	
Erie County Industrial Land Development Corporation (ILDC)	E-Mail: jcappell@ecidany.com		
Address: 95 Perry Street	1		
City/PO: _{Buffalo}	State: NY	Zip Code: 14203	
Project Contact (if not same as sponsor; give name and title/role):	Telephone: (716) 856-6525	5	
ohn Cappellino, Executive Director	E-Mail: jcappell@ecidany.o		
Address: 5 Perry Street			
City/PO: uffalo	State: NY	Zip Code: 14203	
Property Owner (if not same as sponsor):	Telephone: 716-856-0599		
ecumseh Redevelöpment, Inc. (Contact Tom Forbes, Roux, Inc)	E-Mail: tforbes@rouxinc.co	om ·	
Address: 588 Hamburg Turnpike, Suite 300	-		
City/PO: Buffalo	State: NY	Zip Code: ₁₄₂₁₈	

B. Government Approvals

Government Entity		If Yes: Identify Agency and Approval(s) Required		tion Date projected)
a. City Counsel, Town Boa or Village Board of Trus	stees	City of Lackawanna, Town of Hamburg (building permits)	Spring 2025	
b. City, Town or Village Planning Board or Comm	□Yes ☑No mission			
c. City, Town or Village Zoning Board of				
d. Other local agencies	□Yes☑No			
e. County agencies	∠ Yes N o	Erie County: Legislature, DEP (239m) Buffalo and Erie County ILDC	Spring 2025	
f. Regional agencies	□Yes ☑No			
g. State agencies	✓Yes□No	NYSDEC, NYSDOT, NYSESD (funding), NYSHPO (archaeological), NYSDOS	Spring 2025	
h. Federal agencies	∠ Yes N o	USACOE, US Fish & Wildlife	Spring 2025	
		or the waterfront area of a Designated Inland W with an approved Local Waterfront Revitalizat	•	✓ Yes□No
iii In the project site with		77 11 0		
tu. Is the project site with	in a Coastal Erosion	Hazard Area?		☐ Yes ☑ No
C. Planning and Zoning	iin a Coastal Erosion	Hazard Area?		☐ Yes No
C. Planning and Zoning C.1. Planning and zoning	actions.			☐ Yes ☑ No
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se	actions. lative adoption, or an st be granted to enab ections C, F and G.	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? Applete all remaining sections and questions in P		☐ Yes ☑ No
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se	actions. lative adoption, or an st be granted to enabections C, F and G. question C.2 and com	mendment of a plan, local law, ordinance, rule of the proposed action to proceed?		
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se If No, proceed to q C.2. Adopted land use plan a. Do any municipally- adop	actions. lative adoption, or an st be granted to enab ections C, F and G. question C.2 and comms.	mendment of a plan, local law, ordinance, rule of the proposed action to proceed?	art 1	
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se If No, proceed to q C.2. Adopted land use plan Do any municipally- adop where the proposed action	actions. lative adoption, or an st be granted to enablections C, F and G. question C.2 and comms. oted (city, town, villar would be located?	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? Applete all remaining sections and questions in P	art 1 include the site	□Yes☑No
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se If No, proceed to q C.2. Adopted land use plan a. Do any municipally- adop where the proposed action If Yes, does the comprehens would be located? D. Is the site of the proposed Brownfield Opportunity A or other?)	actions. lative adoption, or an st be granted to enablections C, F and G. question C.2 and comms. oted (city, town, villent would be located? sive plan include special action within any location.	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? uplete all remaining sections and questions in P age or county) comprehensive land use plan(s)	include the site	□Yes No □Yes No
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se If No, proceed to q C.2. Adopted land use plan a. Do any municipally- adop where the proposed action If Yes, does the comprehens would be located? D. Is the site of the proposed Brownfield Opportunity A or other?) If Yes, identify the plan(s):	actions. lative adoption, or an st be granted to enablections C, F and G. question C.2 and comms. oted (city, town, villar would be located? sive plan include special action within any located (BOA); designations	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? Applete all remaining sections and questions in Page or county) comprehensive land use plan(s) cific recommendations for the site where the procal or regional special planning district (for expectation).	include the site roposed action ample: Greenway; nanagement plan;	☐Yes ☑No ☑Yes ☑No ☐Yes ☑No
C.1. Planning and Zoning C.1. Planning and zoning a Will administrative or legisl only approval(s) which mus If Yes, complete se If No, proceed to q C.2. Adopted land use plan a. Do any municipally- adop where the proposed action If Yes, does the comprehens would be located? D. Is the site of the proposed Brownfield Opportunity A or other?) If Yes, identify the plan(s):	actions. lative adoption, or an st be granted to enablections C, F and G. question C.2 and comms. oted (city, town, villar would be located? sive plan include special action within any located (BOA); designations	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? uplete all remaining sections and questions in Page or county) comprehensive land use plan(s) cific recommendations for the site where the procal or regional special planning district (for exted State or Federal heritage area; watershed metals to the site watershed in the state of the site watershed in the state of the site watershed in the site watershed in the state of the site watershed in the state of the site watershed in the site water	include the site roposed action ample: Greenway; nanagement plan;	☐Yes ☑No ☑Yes ☑No ☐Yes ☑No
C.1. Planning and Zoning: C.1. Planning and zoning: Will administrative or legisl only approval(s) which muse If Yes, complete see If No, proceed to quality of the plant of the proposed action of the proposed action of the proposed action of the proposed of the proposed of the proposed of the proposed or other?) If Yes, identify the plant of the p	actions. lative adoption, or an st be granted to enablections C, F and G. question C.2 and comms. oted (city, town, villen would be located? sive plan include special action within any location within any	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? aplete all remaining sections and questions in P age or county) comprehensive land use plan(s) cific recommendations for the site where the proceed or regional special planning district (for exted State or Federal heritage area; watershed m	include the site roposed action ample: Greenway; nanagement plan;	Yes No Yes No
C.1. Planning and Zoning: C.1. Planning and zoning: Will administrative or legisl only approval(s) which muse If Yes, complete see If No, proceed to quality of the plant of the proposed action of the proposed action of the proposed action of the proposed of the proposed of the proposed of the proposed or other?) If Yes, identify the plant of the p	actions. lative adoption, or an st be granted to enablections C, F and G. question C.2 and comms. oted (city, town, villant would be located? sive plan include special action within any located (BOA); designated action Sites:C91519	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? aplete all remaining sections and questions in Page or county) comprehensive land use plan(s) cific recommendations for the site where the procal or regional special planning district (for exted State or Federal heritage area; watershed made of the site watershed in the state of the site of the	include the site roposed action ample: Greenway; nanagement plan;	☐Yes ☑No ☑Yes ☑No ☐Yes ☑No

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Town of Hamburg: M-3 (General Industrial) City of Lackawanna: Medium Industrial/ Heavy Industrial	☑ Yes □ No
o. Is the use permitted or allowed by a special or conditional use permit?	✓ Yes No
c. Is a zoning change requested as part of the proposed action? f Yes, i. What is the proposed new zoning for the site?	□ Yes ☑ No
C.4. Existing community services.	
. In what school district is the project site located? Lackawanna City School District/ Frontier Central School District	ict
What police or other public protection forces serve the project site? Ity of Lackawanna Police Department, Town of Hamburg Police Department, Erie County Sheriffs Department	
. Which fire protection and emergency medical services serve the project site? ty of Lackawanna Fire Division, AMR West Seneca, Woodlawn Volunteer Fire	
. What parks serve the project site? oodlawn Beach State Park, Taggart Park	
D. Project Details	
D.1. Proposed and Potential Development	
. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; i components)? Industrial/ Transportation (rail yard)	f mixed, include all
a. Total acreage of the site of the proposed action? 657.2 acres	
b. Total acreage to be physically disturbed? 24.2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 657.2 acres	
Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres	✓ Yes No miles, housing units
square feet)? % Units: N/A	, 0 , <i>wo</i> 8 ,
Is the proposed action a subdivision, or does it include a subdivision? Yes,	□Yes ☑ No
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
i. Is a cluster/conservation layout proposed?	□Yes ☑ No
i. Number of lots proposed?	
Will the proposed action be constructed in multiple phases?	☐ Yes ☑ No
If No, anticipated period of construction: 6 months	i es No
If Yes:	
Total number of phases anticipated Anticipated and anticipated anticipated and anticipated anticipated anticipated and anticipated a	
Anticipated commencement date of phase 1 (including demolition) month year	
 Anticipated completion date of final phase Generally describe connections or relationships among phases, including any contingencies where 	
determine timing or duration of future phases:	

	ct include new resi				□Yes☑No
if Yes, snow nur	nbers of units prope One Family	osed. <u>Two Family</u>	Three Family	Multiple Family (four or more)	
Y 11 1 DI	One I amily	1 wo 1 anniy	Tinee Taimiy	Muluple Family (lour of more)	
Initial Phase At completion			-	-	
of all phases					
	osed action include	new non-residentia	al construction (inclu	ding expansions)?	☑ Yes □ No
If Yes, i. Total number	a of atmosphere	0			
ii Dimensions (in feet) of largest n	ronosed structure:	height	width; and length	
iii. Approximate	extent of building	space to be heated	or cooled:	o square feet	
				result in the impoundment of any	☐Yes ☑No
				goon or other storage?	☐ 1 e2 ► 140
If Yes,				6	
i. Purpose of the					
ii. If a water imp	oundment, the prin-	cipal source of the	water:	Ground water Surface water stream	ams Other specify:
iii. If other than w	vater, identify the ty	pe of impounded/o	contained liquids and	their source.	
in Ammorriment	-i£4b	J :	37.1	'11' 11 0	
v. Approximate	f the proposed dam	a impounament. or impounding str	Volume:	million gallons; surface area: _height;length	acres
			m or impounding str	ucture (e.g., earth fill, rock, wood, con	crete):
D.2. Project Ope					
a. Does the propo	sed action include a	any excavation, min	ning, or dredging, du	ring construction, operations, or both?	Yes No
		tion, grading or ins	stallation of utilities of	or foundations where all excavated	
materials will re	emain onsite)				
	roose of the excava	tion or dredging?	emoval of slag material		
				be removed from the site?	_
• Volume	(specify tons or cub	ic yards): 150,000	cubic yards		
	at duration of time?				
<i>iii</i> . Describe natur see attached narrative		s of materials to be	excavated or dredge	ed, and plans to use, manage or dispos	e of them.
see attached harrative	3				
iv. Will there be	onsite dewatering o	r processing of exc	avated materials?		Yes No
If yes, describ	e				
w What is the tot	al area to be drades				
v. What is the for	ar area to be dredge	or excavated? _	ime?	24.2 acres	
vii. What would be	the maximum den	th of excavation or	dredging?	24.2 acres 26 feet	
viii. Will the excav	ation require blasti	ng?		20 1000	∐Yes ✓ No
				3	
ee attached narrative)				
40.					
				H-	
				ease in size of, or encroachment	☐Yes ✓No
into any existing	g wetland, waterbo	uy, snoreline, beac	n or adjacent area?		
	tland or waterbody	which would be at	ffected (by name wa	ter index number, wetland map numb	er or geographic
description):				ner index number, wenand map numb	or or geographic

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, place alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in s	ment of structures, or quare feet or acres:
iii. Will the proposed action cause or result in disturbance to bottom sediments? If Yes, describe:	□Yes Z No
iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? If Yes:	☐ Yes ✓ No
acres of aquatic vegetation proposed to be removed:	
 expected acreage of aquatic vegetation remaining after project completion: 	
purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):	
proposed method of plant removal:	
if chemical/herbicide treatment will be used, specify product(s): Description Product Product	
v. Describe any proposed reclamation/mitigation following disturbance:	
very 1	
c. Will the proposed action use, or create a new demand for water? If Yes:	☐Yes ☑ No
i. Total anticipated water usage/demand per day: gallons/day	
ii. Will the proposed action obtain water from an existing public water supply?	□Yes □No
f Yes:	
Name of district or service area:	
Does the existing public water supply have capacity to serve the proposal?	☐ Yes ☐ No
Is the project site in the existing district?	☐ Yes ☐ No
 Is expansion of the district needed? 	☐ Yes ☐ No
 Do existing lines serve the project site? 	☐ Yes ☐ No
ii. Will line extension within an existing district be necessary to supply the project? EYes:	☐Yes ☐No
Describe extensions or capacity expansions proposed to serve this project:	
Source(s) of supply for the district:	
iv. Is a new water supply district or service area proposed to be formed to serve the project site? , Yes:	☐ Yes ☐No
Applicant/sponsor for new district:	
Date application submitted or anticipated:	
Proposed source(s) of supply for new district:	
v. If a public water supply will not be used, describe plans to provide water supply for the project:	
i. If water supply will be from wells (public or private), what is the maximum pumping capacity:	gallons/minute.
Will the proposed action generate liquid wastes?	☐ Yes Z No
Yes:	
Total anticipated liquid waste generation per day: gallons/day	
i. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe a approximate volumes or proportions of each):	
. Will the proposed action use any existing public wastewater treatment facilities? If Yes:	☐ Yes ☑ No
Name of wastewater treatment plant to be used:	
Name of wastewater treatment plant to be used: Name of district:	-
Does the existing wastewater treatment plant have capacity to serve the project?	□Yes□No
 Is the project site in the existing district? 	☐ Yes ☐No
Is expansion of the district needed?	☐ Yes ☐No

 Do existing sewer lines serve the project site? 	☐Yes ☐No
 Will a line extension within an existing district be necessary to serve the project? 	☐Yes ☐No
If Yes:	
Describe extensions or capacity expansions proposed to serve this project:	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes:	☐Yes ☑No
Applicant/sponsor for new district:	
Date application submitted or anticipated:	
What is the receiving water for the wastewater discharge?	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specreceiving water (name and classification if surface discharge or describe subsurface disposal plans):	cifying proposed
vi. Describe any plans or designs to capture, recycle or reuse liquid waste:	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point	✓ Yes □No
sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point	2 1 CS
source (i.e. sheet flow) during construction or post construction?	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
Square feet or 0 acres (impervious surface)	
Square feet or 657.2 acres (parcel size)	
ii. Describe types of new point sources.see attached narrative	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent p groundwater, on-site surface water or off-site surface waters)?	roperties,
ee attached narrative	
70. 0	
If to surface waters, identify receiving water bodies or wetlands:	
Will stormwater runoff flow to adjacent properties?	☐Yes ✓ No
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	✓ Yes ☐ No
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel	✓Yes □No
combustion, waste incineration, or other processes or operations?	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
ee attached narrative ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	
e attached narrative	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit,	☐Yes ☑No
or Federal Clean Air Act Title IV or Title V Permit?	
f Yes:	
. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet	□Yes□No
ambient air quality standards for all or some parts of the year)	
i. In addition to emissions as calculated in the application, the project will generate:	
•Tons/year (short tons) of Carbon Dioxide (CO ₂)	
•Tons/year (short tons) of Nitrous Oxide (N ₂ O)	
•Tons/year (short tons) of Perfluorocarbons (PFCs)	
•Tons/year (short tons) of Sulfur Hexafluoride (SF ₆)	
•Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)	
•Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (in landfills, composting facilities)?	acluding, but not limited to, sewage treatment plants,	□Yes☑No
If Yes:		
i. Estimate methane generation in tons/year (metric):	measures included in project design (e.g., combustion to	
ii. Describe any methane capture, control or elimination electricity, flaring):	measures included in project design (e.g., combustion to	generate heat or
electricity, naring).		
i. Will the proposed action result in the release of air pol quarry or landfill operations?	lutants from open-air operations or processes, such as	☐Yes No
If Yes: Describe operations and nature of emissions (e.g.	., diesel exhaust, rock particulates/dust):	
j. Will the proposed action result in a substantial increase	e in traffic above present levels or generate substantial	☐Yes ☑ No
new demand for transportation facilities or services? If Yes:		
i. When is the peak traffic expected (Check all that app	ly): Morning Evening Weekend truck trips/day and type (e.g., semi trailers and dump truck	L-Y
u. For commercial activities only, projected number of	truck trips/day and type (e.g., semi trailers and dump truck	KS):
iii. Parking spaces: Existing	Proposed Net increase/decrease	
iv. Does the proposed action include any shared use parl	king?	□Yes □No
	existing roads, creation of new roads or change in existing	
vi. Are public/private transportation service(s) or facilities will the proposed action include access to public transportation or other alternative fueled vehicles?		☐Yes☐No ☐Yes☐No
viii. Will the proposed action include plans for pedestrian pedestrian or bicycle routes?	or bicycle accommodations for connections to existing	□Yes□No
c. Will the proposed action (for commercial or industrial for energy?	projects only) generate new or additional demand	☐Yes ☑ No
f Yes:	64	
i. Estimate annual electricity demand during operation o	f the proposed action:	
ii. Anticipated sources/suppliers of electricity for the projection.	ject (e.g., on-site combustion, on-site renewable, via grid/	local utility, or
ii. Will the proposed action require a new, or an upgrade,	to an existing substation?	☐Yes ☐ No
Hours of operation. Answer all items which apply.		
i. During Construction:	ii. During Operations:	
Monday - Friday: 7 am - 7 pm	Monday - Friday: 24 / 7	
• Saturday:	• Saturday: 24/7	
Sunday: Holidays:	• Sunday: 24/7	
Holidays:	• Holidays: 24 / 7	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	✓ Yes □No
If yes:	
i. Provide details including sources, time of day and duration:	
Temporary construction noise will be created during the course of construction (6 months). This includes heavy equipment for earthw	ork and track work,
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?	☐ Yes ☑ No
Describe:	102110
Describe:	
n. Will the proposed action have outdoor lighting?	☐ Yes ☑ No
If yes:	
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	
" Described source(s), results of includes, and the proximity to hearest occupied structures.	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	☐ Yes ☑ No
Describe:	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	☐ Yes ☑ No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest	
occupied structures:	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons)	☐ Yes ☑ No
or chemical products 185 gallons in above ground storage or any amount in underground storage?	
If Yes:	
i. Product(s) to be stored	
u. Volume(s) per unit time (e.g., month, year)	
iii. Generally, describe the proposed storage facilities:	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides,	
q. with the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., nerbicides,	☐ Yes ☑ No
insecticides) during construction or operation?	
If Yes:	
i. Describe proposed treatment(s):	
ii. Will the proposed action use Integrated Pest Management Practices?	☐ Yes ☐No
	☐ Yes ☑No
of solid waste (excluding hazardous materials)?	1 C2 E 110
If Yes:	
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	
• Construction: tons per (unit of time)	
• Operation : tons per (unit of time)	
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:	
	A A
• Construction:	
Operation:	
eptimien.	
ii Proposed disposed methods/facilities for solid wests generated as site.	
ii. Proposed disposal methods/facilities for solid waste generated on-site:	
• Construction:	
Operation:	
	1

s. Does the proposed action include construction or mod	dification of a solid waste ma	nagement facility?	Yes 🗹 No
i. Type of management or handling of waste proposed	d for the site (e.g. recycling)	or transfer station, compost	ing landfill or
other disposal activities):	a for the site (e.g., feeyemig	or transfer station, composi-	ing, iaiidini, oi
ii. Anticipated rate of disposal/processing:			
•Tons/month, if transfer or other non-		nt, or	
• Tons/hour, if combustion or thermal			
iii. If landfill, anticipated site life:			
t. Will the proposed action at the site involve the comme	ercial generation, treatment, s	torage, or disposal of hazar	dous Yes No
waste? If Yes:			
i. Name(s) of all hazardous wastes or constituents to b	e generated, handled or mana	ged at facility	
# 2			
ii. Generally describe processes or activities involving	hazardous wastes or constitue	ents:	
iii. Specify amount to be handled or generatedt	ons/month		
iv. Describe any proposals for on-site minimization, rec	cycling or reuse of hazardous	constituents:	
v. Will any hazardous wastes be disposed at an existing	r offsita hazardous wasta faci	1;4,2	□Yes□No
If Yes: provide name and location of facility:	g offsite flazardous waste fact	mty!	☐ Y es ☐ No
If No: describe proposed management of any hazardous	wastes which will not be sent	to a hazardous waste facili	ity:
(
>			
E. Site and Setting of Proposed Action			
E.1. Land uses on and surrounding the project site			
a. Existing land uses.			
i. Check all uses that occur on, adjoining and near the	project site.		
Urban Industrial Commercial Resid	ential (suburban)	I (non-farm)	
☐ Forest ☐ Agriculture ☑ Aquatic ☐ Other ii. If mix of uses, generally describe:	(specify).		
The surrounding land uses include a solar energy array, an existi	ng rail yard, and light manufactur	ing	
b. Land uses and covertypes on the project site.			
Land use or	Current	Acreage After	Change
Covertype	Acreage	Project Completion	(Acres +/-)
Roads, buildings, and other paved or impervious		-	
surfaces	0	0	0
Forested	0	0	0
Meadows, grasslands or brushlands (non-	0	0	0
agricultural, including abandoned agricultural)		•	0
Agricultural	0	0	0
(includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
Wetlands (freshwater or tidal)	0		
Non-vegetated (bare rock, earth or fill)		0	0
	24.2	24.2	0
• Other			
Describe:			
	II		

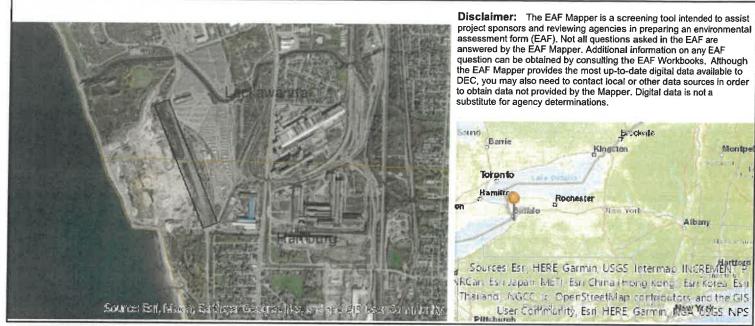
c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain:	□Yes☑No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities:	∠ Yes No
The Tinydreams Daycare at 75 Beech St. is located within 1,500 feet of the project.	
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: • Dam length: • Surface area: • Volume impounded: ii. Dam's existing hazard classification: iii. Provide date and summarize results of last inspection:	☐ Yes No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility.	□Yes ☑ No
 If Yes: i. Has the facility been formally closed? If yes, cite sources/documentation: ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: 	□Yes□ No
iii. Describe any development constraints due to the prior solid waste activities:	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred ee attached narrative	✓Yes□No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes:	✓ Yes No
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	✓ Yes No
ee attached narrative.	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): C915199C, C915199B, C915199D, C915199E, C915199 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):	✓ Yes No
915199B, C915199C, C915199D, C915199E, C915199F - closed	

Tid to the first of the state of	
v. Is the project site subject to an institutional control limiting property uses?	✓ Yes□No
If yes, DEC site ID number: C915198 (and C915198B through L) and C915199 (and C915199B the December of th	nrough J)
Describe the type of institutional control (e.g., deed restriction or easement): Easements	
Describe any use limitations: commercial and industrial property uses only, groundwater use restr Describe any engineering controls: Engineering controls:	riction, SMP requirements
 Describe any engineering controls: <u>Engineering controls per SMP</u> Will the project affect the institutional or engineering controls in place? 	ZvDN.
Explain:	∠ Yes N o
No excavation for project in areas included in easement related to Sites C915198 and C915198C. There is some w	work required for existing track within
Site C915199B and D, which will be performed in conformance with the site's SMP and in coordination with NYSDI	EC. See attached narrative.
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site?	
b. Are there bedrock outcroppings on the project site?	☐Yes ✓No
If Yes, what proportion of the site is comprised of bedrock outcroppings?%	1052110
c. Predominant soil type(s) present on project site: Urban land	100 %
e. Frederimant son type(s) present on project site.	
d. What is the average depth to the water table on the project site? Average: 5 feet	7
e. Drainage status of project site soils: Well Drained: % of site Moderately Well Drained: % of site unknow	'n
Poorly Drained% of site	11
f. Approximate proportion of proposed action site with slopes: 0-10%:	of site
□ 10-15%:	of site
☐ 15% or greater:% o	of site
g. Are there any unique geologic features on the project site? If Yes, describe:	□Yes☑No
h. Surface water features.	
 i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rive ponds or lakes)? 	ers, Yes No
ii. Do any wetlands or other waterbodies adjoin the project site? If Yes to either i or ii, continue. If No, skip to E.2.i.	∠ Yes No
ii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any feder	
state or local agency?	ral, ✓ Yes No
iv. For each identified regulated wetland and waterbody on the project site, provide the following inf	
• Streams: Name Smokes Creek Classifica	
Lakes or Ponds: Name Lake Frie Classification	11011 7-5
 Lakes or Ponds: Name Lake Erie Wetlands: Name R2UBH, R5UBH, PUSCx, PUBHx, R2UBHx Approxim 	
• Wetlands: Name R2UBH, R5UBH, PUSCx, PUBHx, R2UBHx Approxim	nate Size 19.13 (cumulative)
 Wetlands: Name R2UBH, R5UBH, PUSCx, PUBHx, R2UBHx Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-imparts. 	nate Size 19.13 (cumulative)
 Wetlands: Name R2UBH, R5UBH, PUSCx, PUBHx, R2UBHx Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-improvaterbodies? 	aired ☐Yes ☑No
 Wetlands: Name R2UBH, R5UBH, PUSCx, PUBHx, R2UBHx Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-important waterbodies? f yes, name of impaired water body/bodies and basis for listing as impaired: 	aired ☐Yes ☑No
 Wetlands: Name R2UBH, R5UBH, PUSCx, PUBHx, R2UBHx Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-impowaterbodies? f yes, name of impaired water body/bodies and basis for listing as impaired: Is the project site in a designated Floodway? 	aired ☐ Yes ☑ No ☐ Yes ☑ No ☐ Yes ☑ No
 Wetlands: Name R2UBH, R5UBH, PUSCX, PUBHX, R2UBHX Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-important waterbodies? f yes, name of impaired water body/bodies and basis for listing as impaired: Is the project site in a designated Floodway? Is the project site in the 100-year Floodplain? 	aired Yes No Yes No Yes No
 Wetlands: Name R2UBH, R5UBH, PUSCX, PUBHX, R2UBHX Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-important waterbodies? f yes, name of impaired water body/bodies and basis for listing as impaired: Is the project site in a designated Floodway? Is the project site in the 100-year Floodplain? Is the project site in the 500-year Floodplain? 	aired
 Wetlands: Name R2UBH, R5UBH, PUSCX, PUBHX, R2UBHX Wetland No. (if regulated by DEC) Are any of the above water bodies listed in the most recent compilation of NYS water quality-important waterbodies? f yes, name of impaired water body/bodies and basis for listing as impaired: Is the project site in a designated Floodway? Is the project site in the 100-year Floodplain? 	aired

	ies that occupy or use the project site: raccoon, oppossum, grey squirrels	striped skunk, various	rodent species
songbirds, seagulls, crows			
n. Does the project site contain a designate f Yes: i. Describe the habitat/community (comp	Ţ	ation):	□Yes Ø No
ii. Source(s) of description or evaluation			
iii. Extent of community/habitat:			
Currently:		acres	
 Following completion of project a 	s proposed:		
• Gain or loss (indicate + or -):		acres	
Does project site contain any species of endangered or threatened, or does it cont of Yes: i. Species and listing (endangered or threatened of Yes).	ain any areas identified as habitat for a	n endangered or threatened spe	✓ Yes No cies?
. Does the project site contain any species special concern?			□ Yes ☑ No
	athy used for hymting transing fishing		
yes, give a brief description of how the pr			□Yes •No
3. Designated Public Resources On or	Near Project Site		
Is the project site, or any portion of it, loc Agriculture and Markets Law, Article 25	-AA, Section 303 and 304?	et certified pursuant to	□Yes ☑ No
res, provide county plus district name/n	umber:		
Are agricultural lands consisting of highli. If Yes: acreage(s) on project site?	y productive soils present?		□Yes☑No
Yes, provide county plus district name/n Are agricultural lands consisting of highl i. If Yes: acreage(s) on project site? ii. Source(s) of soil rating(s): Does the project site contain all or part o Natural Landmark? Yes:	y productive soils present?		□Yes No
Are agricultural lands consisting of highli. If Yes: acreage(s) on project site? ii. Source(s) of soil rating(s): Does the project site contain all or part of Natural Landmark? Yes: i. Nature of the natural landmark:	y productive soils present? f, or is it substantially contiguous to, a Biological Community	registered National cological Feature d approximate size/extent:	∐Yes☑No
Are agricultural lands consisting of highly in If Yes: acreage(s) on project site? iii. Source(s) of soil rating(s): Does the project site contain all or part or Natural Landmark? Yes: ii. Nature of the natural landmark: iii. Provide brief description of landmark, in Improvide brief description of landmark, in Improvide site located in or does it adjutyes:	g, productive soils present? f, or is it substantially contiguous to, a Biological Community Goncluding values behind designation and goin a state listed Critical Environmenta	registered National cological Feature d approximate size/extent:	☐Yes No
Are agricultural lands consisting of highli. If Yes: acreage(s) on project site? i. Source(s) of soil rating(s): Does the project site contain all or part of Natural Landmark? Yes: Nature of the natural landmark: i. Provide brief description of landmark, if the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjects the project site located in or does it adjec	g productive soils present? f, or is it substantially contiguous to, a Biological Community	registered National cological Feature d approximate size/extent:	☐Yes No

e. Does the project site contain, or is it substantially contiguous to, a be which is listed on the National or State Register of Historic Places, Office of Parks, Recreation and Historic Preservation to be eligible If Yes:	or that has been determined by the Commiss	☐ Yes ☑ No ioner of the NYS laces?
i. Nature of historic/archaeological resource: Archaeological Siteii. Name:	Historic Building or District	
iii. Brief description of attributes on which listing is based:		
f. Is the project site, or any portion of it, located in or adjacent to an a archaeological sites on the NY State Historic Preservation Office (S		∠ Yes N o
g. Have additional archaeological or historic site(s) or resources been if Yes:		☐Yes Z No
i. Describe possible resource(s):ii. Basis for identification:		
h. Is the project site within fives miles of any officially designated and scenic or aesthetic resource? If Yes: i. Identify resource: Great Lakes Seaway Trail	publicly accessible federal, state, or local	✓ Yes No
ii. Nature of, or basis for, designation (e.g., established highway over etc.): National Scenic Byway		scenic byway,
iii. Distance between project and resource: <11i. Is the project site located within a designated river corridor under the		
Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation:	e who, seeme and Recreational Rivers	☐ Yes No
ii. Is the activity consistent with development restrictions contained in	6NYCRR Part 666?	□Yes □No
F. Additional Information Attach any additional information which may be needed to clarify you If you have identified any adverse impacts which could be associated measures which you propose to avoid or minimize them.		pacts plus any
G. Verification I certify that the information provided is true to the best of my knowled	edge.	
Applicant/Sponsor Name Thomas Voigt, AICP (C&S as agent of IDLC)	Date_2/26/2025	
Signature	Title_Planner	

PRINT FORM



brackette. Kingtton Montp New york Albany Sources Est, HERE Garmin, USGS Intermac III/CREWENTON VRCan Esti Japan METI Esti China i hong Kong Esti Korea Esti Therand, NGCC is OpenStreetMap contributors and the GIS User Commonty, Esri HERE Garmin, MEN 16955 NPS

B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediaton Sites:C915199B, Remediaton Sites:C915199D, NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	C915199B, C915199D
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	C915199C, C915199B, C915199D, C915199E, C915199F, C915199G, C915198, C915198C, C915198D, C915198E, C915198G, 915009, C915205, C915199J
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes

ב.ב.ה. ניטט ו כמו ו וטטעוומווון	160
E.2.I. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Wafer Ash, Lake Sturgeon
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



Wye Yard Relocation Project Tecumseh Redevelopment Inc., City of Lackawanna and Town of Hamburg, Tax Parcels: 141.11-1-51.1 & 150.00-1-1.111

FEAF Part 1 – Additional Information February 2025

Introduction

The following narrative contains additional information to supplement answers provided in the Full Environmental Assessment Form (FEAF) Part I for the proposed Wye Yard Relocation Project. This document outlines items in the order they appear on the FEAF Part 1 and is written to provide supplemental information on any questions that may warrant further clarification.

C.2 Adopted land use plans

a. City of Lackawanna Comprehensive Plan (2016)

The City of Lackawanna's 2016 Comprehensive Plan deems the subject property as appropriate for mixed-use development. Within the "mixed-use corridors" land use narrative, the Plan states that commercial storefronts and apartments are the desired development types; however environmental easements and remaining contamination limit the allowable uses on and around the subject property. While future vision for the area in its entirety may be a mixture of land uses, that result is not achievable in the foreseeable future. Therefore, the extension of the existing use is a viable option for land use at the subject property until further remediation and land use planning can be achieved. There are no specific recommendations or strategies that target the subject site as an inland property. The strategies and policies within the plan are focused on the waterfront areas and the expansion of access and activation. Public comment included as an appendix to the Comprehensive Plan illustrates the desire for the proliferation of electrical infrastructure and increased industrial development on the subject property.

b. Town of Hamburg Comprehensive Plan (2022)

The Town of Hamburg Comprehensive Plan cites the Brownfield Opportunity Area (BOA) Plan as the driving land use policy for the subject property. The Town's BOA that is prescribed for the subject area is in progress and currently does not have any recommendations for land uses.

D.2 Project Operations

a. <u>Excavation, Mining, or Dredging (excluding general site grading, preparation, installation of foundations or utilities)</u>

The proposed project includes the excavation of approximately 150,000 cubic yards of slag material from the subject site. Slag is a waste material from the refining of metals. The slag was produced and placed at the subject site during the operation of the former Bethlehem Steel plant. The slag material is currently mounded on the subject site in some areas to a peak of 26 feet above grade. Slag materials will be removed from peaks in order to maintain a consistent grade across the proposed project area and create an even surface for the construction of the new rail tracks.

To remove the slag, the material is chipped or grinded. Pending further environmental testing in coordination with the New York State Department of Environmental Conservation (NYSDEC), slag materials are expected to be used to grade the adjacent area. Work related to excavation involving slag materials is in conformance with NYSDEC's Division of Materials Management Program Policy 5 (DMM-5) - Management of Soils Contaminated with Technologically-Enhanced Naturally Occurring Radioactive Materials (TENORM).

e. Will the Proposed Action Disturb More Than One Acre and Create Stormwater Runoff, Either From New Point Sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or Non-Point Source (i.e. sheet flow) During Construction or Post Construction

The proposed project will disturb approximately 24.2 acres of land. New impervious surfaces will generally not be created as a result of the proposed project. The proposed expansion will use gravel in between the tracks and therefore there will not be any sheet flow of water from the proposed project site. All storm water runoff will remain on the project owner's property and will not encroach into surface waters or wetlands.

Activities that will involve soil disturbance of one or more acres must obtain coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, succinctly referred to as the Construction General Permit (CGP). The proposed project will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) and obtain coverage under the current CGP.

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?

Air emissions sources consistent with the industrial and commercial nature of the area may be present during construction and operations. There will be locomotives used to switch rail cars occasionally on the new tracks. There may also be occasional transfers made between rail and trucks that will include mobile emissions sources including trucks, forklifts, loaders, portable

conveyors, etc. These activities will be occasional or as-needed as there are no current plans for this to be an immediate operation on the proposed project site.

As construction or operations change, the project sponsor or site owner can reassess the needs to obtain any air permitting from the NYSDEC. Initial applications for air permits typically have their own New York State Environmental Quality Review Act (NYSEQRA) review process, in addition to other new processes (i.e. Climate Act assessment) to ensure that the request is protective of human health and the environment.

m. Noise

Construction operations may occasionally have periods of noise that exceed existing ambient noise levels during the hours of 7:00 AM and 7:00 PM. Construction noises will, however, be consistent with the land uses in the immediate area.

Regular operations of the proposed project will not exceed existing ambient noise levels of the area. There are no existing natural barriers that act as a noise barrier or screen and therefore no barriers will be disturbed or removed by the proposed action. The area is characterized by urban manufacturing and adjacent to a major travel corridor, therefore existing noise levels are relatively high.

t. Generation, Treatment, Storage or Disposal of Hazardous Waste

The proposed action does not involve the generation, treatment, storage or disposal of hazardous waste.

Based on an initial site characterization completed on September 23 and 24, 2024, the slag materials are not expected to be hazardous, with only slightly elevated readings along the western edge of the planned redevelopment area and former roadway.

In addition to slag, a portion of the proposed project is occurring on NYSDEC Brownfield Cleanup Program (BCP) Sites C915198 (and -C and -B) and C915199B and D. In the area adjacent to NYS Route 5, the proposed project activities include track retirement. In the track retirement area, the rails and rail ties will be picked up and removed from the site. There is no excavation expected to occur in this area as part of the proposed project.

In the area of Sites C915199B and D, the proposed project will include tying into existing track on those BCP sites. Work will be performed in conformance with the Site Management Plan (SMP) that is part of the environmental easement for that area. This may include generation of hazardous waste during construction only that would be properly managed.

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

g. Hazardous Wastes

The proposed project is located in a formerly heavy industrial area where many sites including the project site and adjoining sites have generated hazardous waste or were used to commercial treat, store and/or dispose of hazardous waste. Much of the project site formerly generated hazardous waste during the former industrial activities under Bethlehem Steel. Finally, the proposed project site owner currently generates hazardous waste. The proposed project will not impact this activity.

h. Potential Contamination History

- i. The NYSDEC Spill Incidents Database was reviewed and found the following reports for the adjoining project site. See attachment A for a Spill Incident Log Sheet.
 - NYSDEC Spill Number 0104728: Bethlehem Steel Corporation, 8/2/2001. 150 gallons of hazardous ammonia spilled due to human error. Spill Record was closed on 8/3/2001.
 - NYSDEC Spill Number 9812184: Bethlehem Steel Corporation Coke Ovens, 1/1/1999. 100 gallons of Kensol #61 spilled due to human error. Spill Record was closed on 1/4/1999.
 - NYSDEC Spill Number 0102886: Bethlehem Steel Corporation Scrub Yard, 6/15/2001. 200 gallons of Kensoil spill due to human error. Spill Record was closed on 6/18/2001.
 - NYSDEC Spill Number 8808085: Bethlehem Steel Corporations Coke Ovens, 1/10/1989. 50 gallons of petroleum wash oil spill due to a tank overfill. Spill Record was closed on 6/26/1989.
 - NYSDEC Spill Number 9100044: Bethlehem Steel Corporation Benzoil Yard, 4/1/1991. 50 gallons of petroleum waste oil spilled due to human error. Spill Record was closed on 8/12/1991.
 - NYSDEC Spill Number 9012909: Bethlehem Steel Corporation Coal Mixer, 3/19/1991. 500 gallons of petroleum #2 fuel oil spilled due to an equipment failure. Spill Record was closed on 8/12/1991.
 - NYSDEC Spill Number 9100855: Bethlehem Steel Corporation, 4/23/1991. 800 gallons of hazardous coal tar pitch volatiles spilled due to an equipment failure. Spill Record was closed on 5/6/1991.

- NYSDEC Spill Number 9302394: Bethlehem Steel Corporation Coke Ovens, 5/20/1993. 30 gallons of petroleum wash oil spilled due to an equipment failure. Spill Record was closed on 5/26/1993.
- NYSDEC Spill Number 9403309: Bethlehem Steel Corporation Conomos, 6/7/1994. 15 gallons of petroleum waste oil spilled due to a housekeeping error. Spill Record was closed on 8/24/1994.
- NYSDEC Spill Number 9101522: Bethlehem Steel Corporation, 5/7/1991. 25 gallons of petroleum muck oil spilled due to an equipment failure. Spill Record was closed on 8/12/1991.
- NYSDEC Spill Number 9101094: Bethlehem Steel Corporation Outfall, 4/26/1991. An unknown amount of unknown petroleum substance spilled due to an equipment failure. Spill Record was closed on 5/1/1991.
- NYSDEC Spill Number 9415961: Amadori Construction, 3/1/1995. An unknown amount of petroleum gasoline spilled due to a tank failure.
- ii. According to the USEPA's ECHO Database, accessed on 2/26/2025, Tecumseh Redevelopment, Inc. was subject to RCRA corrective actions at the proposed project site on 2/27/2018 for general generator, manifest, and NYS hazardous waste generation non-compliance.
- iii. The project site is within 2,000 feet of sites in the NYSDEC Environmental Site Remediation database:
 - NYSDEC ID C915199J: Site III-10 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
 - NYSDEC ID C915199I: Site III-9 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
 - NYSDEC ID C915199H: Site III-8 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
 - NYSDEC ID C915199G: Site III-7 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
 - NYSDEC ID C915199F: Site III-6 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
 - NYSDEC ID C915199E: Site III-5 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C

- NYSDEC ID C915199D: Site III-4 Tecumseh Phase III Business Park, Brownfield Cleanup Program (BCP), Classification C
- NYSDEC ID C915199C: Site III-3 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
- NYSDEC ID C915199B: Site III-2 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
- NYSDEC ID C915199: Site III-1 Tecumseh Phase III Business Park, Brownfield Cleanup Program, Classification C
- NYSDES ID C915198: Site II-1 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198B Site II-2 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198C: Site II-3 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198D: Site II-4 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198E: Site II-5 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198F: Site II-6 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198G: Site II-7 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915198I: Site II-9 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification C
- NYSDEC ID C915198J: Site II-10 Tecumseh Phase II Business Park, Brownfield Cleanup Program, Classification A
- NYSDEC ID C915371: Brownfield Cleanup Program, Classification A
- NYSDEC ID C915008: State Superfund Program, Classification 02

- NYSDEC ID C915205: Tecumseh Redevelopment, Inc.-Steelwinds, Brownfield Cleanup Program, Classification C
- v. The project site is subject to institutional controls limiting property uses. NYSDEC Sites C915198 (and related C915198B through L) and C915199 (and related C915199B through J) both have environmental easements recorded. Figure 3, attached, shows individual BCP Site names and proposed project areas. The environmental easements limit the property use to commercial and industrial uses, restrict groundwater usage, and require SMPs, among other typical NYSDEC environmental easement requirements. The proposed project will not have an impact on the controls in place but will need to be constructed in accordance with easement requirements. There is no excavation planned as part of the proposed project in areas included in easement related to Sites C915198 and C915198C. However, there is some work required related to the existing track within Site C915199B and D, which will be performed in conformance with that site specific SMP and in coordination with NYSDEC. Ultimately, the proposed project will not change property use.

E.2 Natural Resources On or Near Project Site

h. Surface Water Features

The NYSDEC Environmental Resource Mapper (ERM) website indicates that the project site is located in the vicinity of six mapped National Wetlands Inventory (NWI) wetlands, L1UBH (Lake Erie), R2UBHx (Smokes Creek), R5UBH, R2UBH, R4SBC, PUBHx, and PUSCx.

L1UBH is classified as a permanently flooded limnetic, lacustrine body of water with an unconsolidated bottom. R2UBHx is a permanently flooded, lower perennial riverine water with an unconsolidated bottom and previous excavation by humans. PUBHX is classified as a permanently flooded palustrine with an unconsolidated bottom and previous excavation by humans. PUSCx is a seasonally flooded palustrine with an unconsolidated shore and previous excavation by humans.

Lake Erie is classified as a Class A-S waterbody and Smokes Creek is classified as a Class C waterbody.

j. 100-Year Floodplain

According to FEMA Flood Map Panel 336, a portion of the project site is within the 100-Year Floodplain (see Attachment B). The proposed project does not create additional impervious area and should not impact the floodplain or natural drainage patterns.

k. 500-Year Floodplain

According to FEMA Flood Map Panel 336, a portion of the project site is within the 500-Year Floodplain (see Attachment B). The proposed project does not create additional impervious area and should not impact the floodplain or natural drainage patterns.

o. Rare, Threatened, and Endangered Species

The United States Fish and Wildlife Service (USFWS) utilizes the Information, Planning and Conservation (IPaC) system as a tool for streamlining the environmental review process. The IPaC system provides a species list that identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of the study area and/or may be affected by the proposed project. According to the USFWS IPaC System Official Species List dated February 6, 2025 (see Attachment C), an endangered species, the Northern Long-eared Bat (*Myotis Septenrionalis*) and one candidate species, the Monarch Butterfly (*Danaus plexippus*), are listed with the potential to occur or be present within the boundary of or be affected by the proposed action at the project site. According to the IPaC system (see Attachment C), there are no critical habitats, no other Federally threatened or endangered species, or environmentally sensitive habitat areas identified within the project site.

Northern Long-eared Bat (*Myotis Septenrionalis*): The northern long-eared bat is a wideranging, federally threatened bat species, found in 37 states and eight provinces in North America. The species typically overwinters in caves or mines and spends the remainder of the year in forested habitats.

Monarch Butterfly, (*Danaus Plexippus*): The monarch butterfly can be found in varying habitats, so long as milkweed (for breeding) and flowering plants (for nectar) are present. IPAC indicates that the proposed project does not overlap with any critical habitat for this species. The project site is primarily a paved and impervious area with approximately 7% of the area cover with poor quality vegetation not suitable for the presence and growth of milkweed and flowering plants. The monarch butterfly is a proposed threatened species.

The EAF mapper automatically indicated the presence of lake sturgeon (*Acipenser fulvescens*) and Wafer Ash (Ptelea trifoliata) as NYS threatened and endangered. The proposed project is not expected to impact either species.

Lake sturgeon, (Acipenser Fulvescens): Lake sturgeon reside primarily in freshwater lakes and river systems as benthic fish, occupying and feeding in bottom habitats of water bodies. The lake sturgeon is listed as threatened at the state level and is not listed as endangered or threatened at the federal level. Population decline due to overexploitation of stocks for caviar and smoked flesh, blocking of migration routes for spawning due to construction of dams, and degradation of habitat due to anthropogenic factors, e.g. pollution and channelization are listed by the State issues facing the sturgeon. It is not anticipated that the proposed project will impact this species.

The Wafer Ash (*Ptelea trifoliata*) is a small, endangered tree commonly known as "common hoptree". Across the State, there are only eight populations of the Wafer Ash, each with less than 100 plants. Typical threats to the Wafer Ash include clearing and damage from deer. The

Wafer Ash can commonly be found in habitats surrounding railroad operations due to the presence of gravel substrate. The identifying features include a reddish brown to grey-brown bark and long, shiny, and dark colored leaves. The Wafer Ash has not been identified at the proposed project site to date. During construction, the project team will make every effort to identify and preserve the Wafer Ash if present.

E.3. Designated Public Resources On or Near Project Site

e. Additional Archeological or Historic Site(s) or Resources

A portion of the proposed project, the track retirement area adjacent to NYS Route 5, is located within an archeologically sensitive area. For this area of the proposed project, a previous Phase 1A Archaeological Survey was completed for areas including the project site in February 2019. Based on the NYSHPO review of the Phase IA Archaeological Survey, they concurred with the 2019 report's conclusions that there is very little to no potential for intact archaeological resources to be located within the Project Site due to previous significant disturbance. In a letter dated March 15, 2019 (see SHPO project # 18PR06973), NYSHPO determined that no historic properties, including archaeological and/or historic resources, would be affected by the Project.

NYSHPO was consulted again on February 13, 2025, and issued a Determination of No Impact on February 18, 2025 (see Attachment D). Therefore, significant adverse impacts to historic or archeological resources are not anticipated from the Project.

h. Scenic or Aesthetic Resources

One resource having official designation as being a publicly accessible federal, state, or local scenic or aesthetic resource was identified within proximity of the proposed project. The Great Lakes Seaway Trail is a 454-mile stretch of the Seaway Trail which borders Lake Erie and Lake Ontario as well as the Saint Lawrence River. The Great Lakes Seaway Trail in New York State was designated a National Scenic Byway in 1996. The area of the Trail in the vicinity of the proposed project site is NYS Route 5 (see Attachment E). The proposed project would be partially visible from the Trail; However, land uses are not changing as part of the proposed project. Therefore, the proposed project is not expected to impact the scenic and aesthetic resources in the area.



Wye Yard Relocation Project
Tecumseh Redevelopment Inc., City of Lackawanna and Town of
Hamburg, Tax Parcels 141.11-1-51.1& 150.00-1-1.111

FEAF Part 1 – Additional Information February 2025

Figures & Attachments

Figures

Figure 1: Project Location Map

Figure 2: Conceptual Rail Yard Expansion Plan

Figure 3: NYSDEC Brownfields Parcels

Attachments

Attachment A: NYSDEC Spills

Attachment B: FEMA National Flood Insurance Rate Map

Attachment C: US Fish & Wildlife Threatened and Endangered Species List

Attachment D: NYSHPO Letter of No Impact

Attachment E: NYS Great Lakes Seaway Trail Map

Figure 1 Project Location Map

Wye Yard Track Relocation- General Location Map

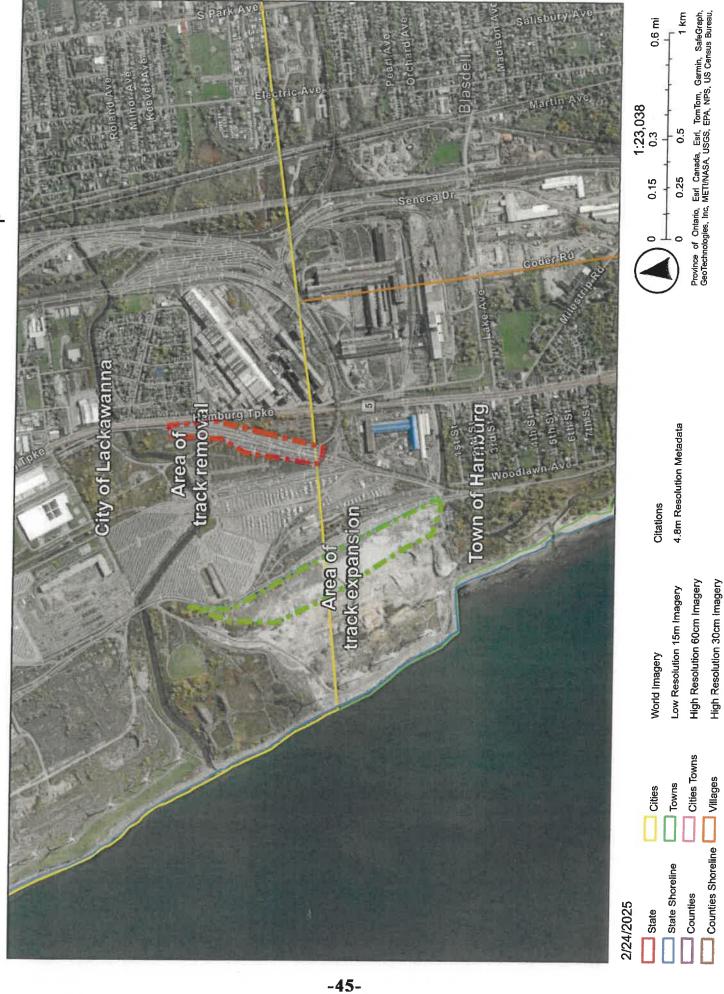


Figure 2 Conceptual Rail Yard Expansion Plan

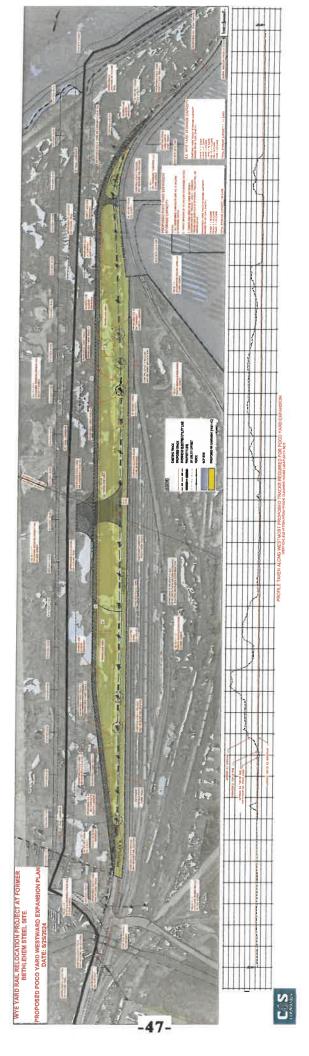


Figure 3 NYSDEC Brownfield Parcels

Figure 3
NYSDEC Brownfield Parcets

Brownfield Cleanup Program Parceis



f inch equals 600 feet When printed at 11 in. by 17 in.

Wye Yard Relocation SEQR

Attachment A NYSDEC Spill Log

Spill Number	Program Facility Name	Locality	Spill Date	Contributing Factor	Materhody					
8603641	BETHLEHEM STEEL	LACKAWANNA	9/3/1986	Tank Taet Eailtra	Anograph	Source	Close Date	Material Name	illy	Quantity (gal.)
8605064	BETHLEHEM STEEL	LACKAWANNA	11/6/1986	Fauinment Failure	SMOKES CDEEV	Commercial/industrial	31754	gasoline	Petroleum	0
8605704	BETHLEHEM STEEL	LACKAWANNA	12/9/1986	Fornisment Fallure	OFFICIAL S CHEEN	Commercial/Industrial	31741	unknown material	Other	200
8606504	BETHLEHEM STEEL	LACKAWANNA	1/20/1987	Tank Falling		Commercial Venicle	31764	metal sludge	Other	35
8701194	BETHLEHEM STEEL	LACKAWANNA	5/12/1987	Hakanam	THE REAL PROPERTY.	Commerciating	31798	gasoline	Petroleum	ເດ
8701194	BETHLEHEM STEEL	LACKAWANNA	5/12/1987	Unknown		Commercial/moustrial	32575	washoil	Petroleum	0
8807350	BETHLEHEM STEEL/ COKE	LACKAWANNA	12/2/1988	Himan Front		Commercial/industrial	32575	unknown petroleum	Petroleum	5000
8808085	BETH STEEL COKE OVENS	LACKAWANNA	1/10/1989	Tank Overfill		CommerciaVindustrial	32575	coal tar pitch volatiles	Hazardous Material	150
8808230	BETHLEHEM STEEL	LACKAWANNA	1/16/1989	Fairinment Failure	THE RESERVE TO SERVE	Commerciavingustrial	32685	wash oil	Petroleum	50
8901420	BETHLEHEM STEEL	LACKAWANNA	5/12/1989	Equipment Failure		Commercial/Industrial	32685	wash oil	Petroleum	30
8901882	BETHLEHEM STEEL	LACKAWANNA	5/24/1989	Tank Overfill	THE RESIDENCE OF THE PERSON NAMED IN	CollinerciaVindustrial	33190	unknown petroleum	Petroleum	7
8908385	BETHELEM STEEL COKE DIV.	LACKAWANNA	11/22/1989	Tank Overfill	TIGT TAY	Commercial/Industrial	32673	coal tar pitch volatiles	Hazardous Material	300
8908385	BETHELFM STEFF COKEDIV	LACKAMANINA	11/72/1000	Ialik Overlitt	LAKE EKIE	Commercial/Industrial	32834	coal tar pitch volatiles	Hazardous Material	0
8908347	BETHI FHEM STEEL-COKE DIV	LACKAMANINA	14/00/4000	IBIK CVETIII	LAKEERIE	Commercial/Industrial	32834	unknown petroleum	Petroleum	4
8910950	BETHI FHEM STEEL	LACKBARAIA	11/22/1989	Human Error		Commercial/Industrial	32834	#2 fuel oil	Petroleum	ro
8911255	RETHIELDM STEEL COVERT	LACKAWANNA	2/16/1990	Human Error		Commercial/Industrial	32974	unknown material	Other	100
8011282	DETTIENT STEEL CONE P.I.	LACKAWAININA	2/21/1990	Deliberate		CommerciaVIndustrial	32927	unknown material	Other	c
0010042	BEITHEREN SIEEL	LACKAWANNA	2/28/1990	Tank Overfill		Commercial/Industrial	32932	Waste nil/used oil	Patrolaim	9
8912343	BEI HLEMEM SI EEL/GOETZ OIL	LACKAWANNA	3/28/1990	Human Error		Commercial/Industrial	33406	discal	Potroloum	D C
9000035	BETHLEHEM STEEL	LACKAWANNA	4/3/1990	Human Error		Commercial/Industrial	33036	waste officed oil	Detroloum	ne Sile
9001098	BETHLEHEM STEEL	LACKAWANNA	4/30/1990	Unknown	LAKE ERIE	Commercial/Industrial	33022	unknown netroleum	Detroleum	007
9001098	BETHLEHEM STEEL	LACKAWANNA	4/30/1990	Unknown	LAKE ERIE	Commercial/Industrial	33022	Alvan peroreum	renotenii	Too (rps)
9001858	BETHLEHEM STEEL	LACKAWANNA	5/17/1990	Equipment Failure		Commercial/Industrial	33010	liy dail	Other	0
9002102	BETHLEHEM STEEL	LACKAWANNA	5/23/1990	Other	! AKE FRIE	Commondia/Jacquetial	20210	IIO Dasnoio aisem	Fetroleum	20
9003280	BETHLEMEN STEEL	LACKAWANNA	6/28/1990	Unknown	LAKE ERIE	Haknown	33240	waste oil/used oil	Petroleum	100
9007537	BETHLEHEM STEEL	LACKAWANNA	10/10/1990	Equipment Failure		International Property	33052	unknown petroleum	Petroleum	0
9007537	BETHLEHEM STEEL	LACKAWANNA	10/10/1990	Fourthern Fallura		Commercial Mousinal	33156	waste oil/used oil	Petroleum	7.5
9012459	BETHLEHEM STEEL-COAL TAR	LACKAWANNA	3/5/1991	Equipment Failure	THE REAL PROPERTY.	Commerciating	33156	wash oil	Petroleum	0
9012631	BETHLEHEM STEEL-NH4	LACKAWANNA	3/9/1991	Equipment Failure		Commercial/Industrial	33308	coat tar pitch volatiles	Hazardous Material	200
9012631	BETHI FHEM STEEL NHA	I ACKAMANINIA	2/0/1001	- Chalbinell Crandle		Commercia/Industrial	33514	ammonia	Hazardous Material	0
9012796	BETHI FHEM STEEL	LACKAMANINA	3/14/1004	equipment Failure		Commercial/Industrial	33514	carbolic acid	Hazardous Material	0
9012909	RETH STEEL COAL MISEB	1 ACKAIAKANIAKA	0/10/1001	Otner		Commercial/Industrial	33312	coal tar pitch volatiles	Hazardous Material	15
9100044	RETH STEEL BENZOII VARO	LACKAMANNA	3/19/1991	Equipment Failure	THE PROPERTY OF	Commercial/Industrial	33462	#2 fuel oll	Petroleum	500
9100003	BETHI CHEM CTECI OD ADEA	ACKAMINA	4/1/1991	Human Error		Commercial/Industrial	33462	waste oil/used oil	Petroleum	20
9100575	BETHI CLEM STEEL-BF ANDA	LACKAWANNA	4/1/1991	Human Error		Commercial/Industrial	33351	tar	Other	50
STORBES	BETH STEEL COA! TAD	LACKAWANNA	4/15/1991	Equipment Failure		Commercial/Industrial	33380	waste oil/used oil	Petroleum	25
910104	RETH STEEL CONTENT 444	LACKAWANNA	4/23/1991	Equipment Falture		Commercial/Industrial	33364	coal tar pitch volatiles	Hazardous Material	800
9101434	DETHI THE CTOT OVER OF	LACKAWANNA	4/26/1991	Equipment Failure		Commercial/Industrial	33359	unknown petroleum	Petroleum	0
9101434	BEINGEREN SIEEL-BY PROD.	LACKAWANNA	5/5/1991	Equipment Failure		Commercial/Industrial	33375	coal tar pitch volatiles	Hazardous Material	75
2701025	BEIN SIEEL-MUCK OIL	LACKAWANNA	5/7/1991	Equipment Failure		Commercial/Industrial	33462	muckoil	Petroleum	, K
0202016	BEINLEHEM STEEL-COKE OVEN	LACKAWANNA	5/21/1991	Equipment Failure		Commercial/Industrial	33379	coal tar pitch volatiles	Hazardous Material	ann
9101992	BEI HLEHEM SIEEL-I ANK FAKM	LACKAWANNA	5/29/1991	Unknown		Commercial/Industrial	33448	#6 fuel oil	Petroleum	000
STORY DR	BEI HIEMEM SIEEL ODOR	LACKAWANNA	7/8/1991	Unknown		Commercial/Industrial	33429	Suffer	Othor	007
9105841	BEIHLEHEM STEEL	LACKAWANNA	8/29/1991	Equipment Failure		Commercial/Industrial	33981	waste oil/used oil	Potroleum	÷ +
9105841	BETHLEHEM STEEL	LACKAWANNA	8/29/1991	Equipment Failure		Commercial/Industrial	33981	Wach Oil	Detroloum	CT CT
9106150	BETHLEHEM STEEL	LACKAWANNA	9/9/1991	Human Error		Commercial/Industrial	33491	wash oil	Petroleum	(sqi) (i
9106430	BETHLEHEM STEEL-OVENS	LACKAWANNA	9/15/1991	Equipment Fallure		Commercial/Industrial	33702	Masin Uli	Fetroleum	0
9106430	BETHLEHEM STEEL-OVENS	LACKAWANNA	9/15/1991	Equipment Failure		Commercial/Industrial	20755	Washion	Fetfoleum	0
9110640	BETHLEHEM STEEL	LACKAWANNA	1/10/1992	Equipment Failure		Commercial Vehicle	00000	TO#10clian	omer	0
9112821	BETHLEHEM STEEL	LACKAWANNA	3/17/1992	Equipment Failure		Commorpiel Adviction	33843	diesel	Petroleum	20
			1	111111111111111111111111111111111111111		CommerciaVindustrial	33680	unknown material	Other	100

Spill Number	Program Facility Name	Locality	Spill Date	Contributing Factor	Waterbody					
9200437	BETHLEHEM STEEL	LACKAWANNA	4/11/1992	Fairinment Salbure	(nonline)	Aninos	Close Date	Material Name	Material Family	Quantity (gal.)
9201080	BETHLEHEM/BOAT SLIP	LACKAWANNA	4/28/1992	Deliberate	I AVE EDIE	CommerciauIndustrial	34284	kensof#61	Other	90
9204447	BETHLEHEM STEEL-RETARDER	LACKAWANNA	7/1/1992	Farrinment Fallura	CANE CHIE	Vessel	33806	unknown petroleum	Petroleum	200
9205674	BETHLEHEM STEEL COKE OVEN	LACKAWANNA	8/17/1992	Other		Commercial/Industrial	33981	waste oil/used oil	Petroleum	0.((bs)
9211353	BETHLEHEM STEEL-WASH OIL	LACKAWANNA	1/4/1993	Continuent Collins		Commercial/Industrial	33981	wash oil	Petroleum	2700
9211526	BETHLEHEM STEEL-8 BATTERY	LACKAWANNA	1/7/1993	Equipment Failure		Commercial/Industrial	33981	wash oil	Petroleum	100
9212545	BETHLEHEM STEEL	FACKAWANNA	2/5/1003	Equipment rature		Commercial/Industrial	33990	waste oil/used oil	Petroleum	20
9213008	BETHLEHEM STEEL - COKE	LACKAWANNA	2/20/1002	Chulchinent Faulus		Commercial/Industriat	34009	unknown petroleum	Petroleum	10
9213182	BETH! FHFM STEE!	LACKAMANINA	277614000	College		Commercial/Industrial	34026	wastewater	Other	15
9213241	BETHLEHEM STEEL-TAR TANKS	LACKAMANIA	2/20/1993	UNKUOWII		Commercial/Industrial	34029	wash oil	Petroleum	1.7
9302394	BETH STEEL-COKE OVENS	ACKAWANNA	5/20/1002	Equipment Fallure		Commercial/Industrial	34029	coal tar pitch volatiles	Hazardous Material	20
9306555	BETHLEHEM STEEL CORP.	I ACKAWANINA	8/20/1002	Equipment Fallure		Commercial/Industrial	34115	washoil	Petroleum	30
9307794	BETHI EHFM STEEL	LACKAMANINA	0/27/1009	Equipment Failure		Commercial/Industrial	35024	other -	Other	0
9308411	BETHI FHEM STEEL	LACKAMANIA	9/2//1993	lank Overrill		Commercial/Industrial	34250	wash water	Other	.0
9312717	BETHI FHEM STEEL	I ACVAMIANA	1/0/12/1993	Human Error		Commercial/Industrial	34261	coal tar pitch volatiles	Hazardous Material	, to
9312773	RETHI FHEM STEEL	LACKAWAINIA	1/28/1994	Equipment Failure		Commercial/Industrial	34366	waste oil/used oil	Petroleum	100
9312773	OCTUBEREN STORY	LACKAWANNA	1/29/1994	Equipment Failure		Commercial/Industrial	34786	waste oil/used oil	Petroleum	275
0212446	BEITHEREIN SIEEL	LACKAWANNA	1/29/1994	Equipment Faiture		Commercial/Industrial	34786	washoil	Petroleum	6173 W. William
9313446	BETHLEHEM STEEL	LACKAWANNA	2/15/1994	Tank Overfill		Commercial/Industrial	34381	linknown netroleum	Petroleum	0 (103)
9313446	BETHLEHEM STEEL	LACKAWANNA	2/15/1994	Tank Overfill	THE PERSON NAMED IN	Commercial/Industrial	34381	wash oil	Petroleum	42
931365/	BETHLEMEM STEEL	LACKAWANNA	2/21/1994	Equipment Failure	LACKAWANNA CANAL	Commercial/Industrial	34387	Wash Oil	Petroleum	0
9313657	BETHLEHEM STEEL	LACKAWANNA	2/21/1994	Equipment Failure	LACKAWANNA CANAL	Commercial/Industrial	24907	waste oit used oil	Petroleum	25
9314214	BETHLEHEM STEEL-COKE OVEN	LACKAWANNA	3/5/1994	Human Error		Commercial/Industrial	24400	wash oil	Petroleum	0
9401711	BETHLEHEM STEEL	LACKAWANNA	5/5/1994	Fourthment Failure	NO. OF STREET,	Commerciacini	34400	ammonium sulfate	Other	340
9402488	BETHLEHEM STEEL	LACKAWANNA	5/20/1994	Equipment Failure	THE REAL PROPERTY AND ADDRESS OF THE PERSON	Commercial/Industrial	34465	coal tar pitch volatiles	Hazardous Material	10
9402491	BETHLEHEM STEEL	LACKAWANNA	5/20/1994	Equipment Failure		Commercia/Industrial	34477	coal tar pitch volatiles	Hazardous Material	200
9403309	BETH STEEL-CONOMOS	LACKAWANNA	5/7/100A	Equipment Fatture		Commercial Vehicle	34477	diesel	Petroleum	50
9404180	BETHI FHEM STEEL	LACKAMANINA	000000	Suidaseendu		Commercial/Industrial	34570	waste oil/used oil	Petroleum	15
9404226	BETHI FHEM STEEL	LACKAMANIA	6/24/1994	i ank Overfill	Comment of the Control of the Contro	Commercial/Industrial	34751	coal tar pitch volatiles	Hazardous Material	20
9405497	BETHI FIRM STEEL BOS	LACKAVARIVINA	6/26/1994	Equipment Failure		Commercial/Industrial	34738	ammonium sulfate	Other	100
9404634	RETHI FHEM STEEL	CACKAWANNA	7/1/1994	Equipment Failure		Commercial/Industrial	35305	hydraulicoil	Petroteum	40000
D4078E8	DETTI PARTE PRINCES	CACKAWAININA	//5/1994	Equipment Failure		Commercial/Industrial	34732	hydraulic oil	Petroleum	4000
9407000	BETHLEHEM ENERGY-IRUCK	LACKAWANNA	9/13/1994	Other	THE PROPERTY OF	Tank Truck	34592	coal tar pitch volatiles	Hazardone Material	40
9407999	BEI HLEHEM ENERGY-WASH OIL	LACKAWANNA	9/16/1994	Equipment Fallure	LAKE ERIE	Commercial/Industrial	34597	Wach of	Potrologia	7
9409187	BEIHLEHEM STEEL/ENERGY	LACKAWANNA	10/11/1994	Equipment Fallure	ALTERNATIVE STATE	CommerciaVindustrial	34621	ammonism sulfate	relibledin	1000
9411164	BEI HLEHEM SI EEL	LACKAWANNA	11/9/1994	Equipment Failure		CommerciaVIndustrial	34767	Don DO DOI	Date of the	0
9411258	BETHLEHEM STEEL	LACKAWANNA	11/22/1994	Equipment Failure	The state of the s	CommerciaVIndustrial	34661	unknown petroleum	Petroleum	200
9412000	BE I HLEHEM STEEL-COKE OVEN	LACKAWANNA	12/8/1994	Equipment Failure		Commercial/Industrial	34681	coal tarnitch velatita-	Lenonenill	S.
9413375	BETHLEHEM STEEL	LACKAWANNA	1/7/1995	Equipment Failure		Commercial/Industrial	34708	coat tai pitch votailles	Hazardous Material	10
9413583	BETHLEHEM STEEL/ENERGY	LACKAWANNA	1/11/1995	Equipment Failure		Commercial/Industrial	מביסיור	almonia	Hazardous Material	0
9414205	BETHLEHEM STEEL/ CID TRUC	LACKAWANNA	1/26/1995	Equipment Failure		Commercial Vehicle	320/12	Denzol	Hazardous Material	150
9414205	BETHLEHEM STEEL/ CID TRUC	LACKAWANNA	1/26/1995	Equipment Failure		Commercial Votice	34732	hydraulic oil	Petroleum	(sq)) (p
9501595	BETHLEHEM STEEL	LACKAWANNA	5/8/1995	Equipment Fallure	No. of Contract Contr	Commercial Venice	34/32	waste oil/used oil	Petroleum	υ
9501668	BETHLEHEM STEEL	LACKAWANNA	5/9/1995	Traffic Arcidont		CommerciaVIndustrial	34913	pickle tiquor	Other	20
9503361	BETHLEHEM STEEL COKE DIV	LACKAWANNA	6/10/1006	Hallic Accident		Passenger Vehicle	34830	gasoline	Petroleum	۲-۱
9503911	RETHI CHEM CTEE!	ACKAMANA	CEST ISTO	INDEACONDE!		CommerciaUIndustrial	35003	unknown petroleum	Petroleum	15
9504647	BETH ENERGY, TAB TANK	LACKAWANINA	6/29/1995	Equipment Failure		Commercial/Industrial	34974	unknown petroleum	Petroleum	100
9505358	BETHI CHEM STEE!	TACKAWAINING I	11/1995	Tank Overtill		Commercial/Industrial	34901	coal tar pitch volatiles	Hazardous Material	75
0505347	DETILIENEN STEEL	LACKAWANNA	7/31/1995	Unknown		Railroad Car	34912	#2 fuel oil	Petroleum	С, п
745000	SEI MLEHEM SIEEL	LACKAWANNA	7/31/1995	Unknown		Railroad Car	34913	#2 fuel oil	Bottoloum	n u
920///5	BETHLEHEM STEEL -BAR MILL	LACKAWANNA	9/1/1995	Unknown		Commercial/Industrial	35291	#2 fuel oil	menonen	D
							10700	#Zineron	Petroleum	20

Spill Number	Program Facility Name	Locality	Smill Date	Contestanting Contes	Minterest					
9507775	BETHLEHEM STEEL -BAR MILL	LACKAWANNA	9/1/1005	Contributing ractor	wateroody	Source	Close Date	Material Name	Material Family C	Quantity (gal.)
9507530	BETHLEHEM STEEL	LACKAWANNA	9/19/1995	Limos Cross		Commercial/Industrial	35291	lube oil	Petroleum	100
9508367	BETHLEHEM STEEL	LACKAMANNA	10/0/1006	Ferniam Effor	CHARLES OF STREET	Tank Truck	35031	pickle liquor	Other	15
9508367	BETHI FHEM STEFI	I ACKAMANINA	10/0/1005	Equipment Fahure		Commerciat/Industrial	34998	own non-petro/non-haz me	ne Other	0
9508676	BETHLEHEM STEEL	FACKAWANNA	10/16/1006	Equipment Failure		Commercial/Industrial	34998	nknown hazardous materit Hazardous Material	ri: Hazardous Material	15
9508678	BETHLEHEM STEEL	LACKAWANNA	10/16/1005	Equipment Failure		Commercial/Industrial	35003	tar	Other	50
9508813	BETHLEHEM STEEL	I ACKAWANNA	10/19/1995	Tank Overrill	THE RESERVE OF THE PERSON NAMED IN	Commercial/Industrial	35003	ammonia	Hazardous Material	100
9509052	BETHI FHEM STEEL	LACKAWANNA	10/10/1993	Equipment railure		Commercial/Industrial	35005	ammonía	Hazardous Material	75
9509824	BETHI EHEM STEEL	I ACKAMIANIA	11/0/1005	Equipment Failure	The second secon	Commercial/Industrial	34995	xylene (mixed)	Hazardous Material	150
9511330	BETHI FHEM STEEL	LACKAMANNA	12/6/1995	Equipment Failure		Commercial/Industrial	35027	wastewater	Other	10
9511763	BETH! EHEM STEE!	LACKAMANINA	12/0/1393	Equipment Fallure	The state of the s	Commercial/Industrial	35041	wastewater	Other	75
9512539	BETHLEHEM STEEL / PVS	LACKAMANNA	1/0/1006	Equipment Faiture		Commercial/Industrial	35074	ammonia	Hazardous Material	50
9512795	BETH! CHEM STEE!	LACKAMANA	4 (41/4000	Equipment Faiture		Commercial/Industrial	35074	sulfuric acid	Hazardous Material	20
9514050	BETHI FUEM STEEL	LACKAMANNA	1/15/1996	Equipment Failure		Commercial/Industrial	35086	other -	Other	20
0614300	DETTI CHICK STEEL	LACKAWAININA	2/4/1996	Edulpment Failure		Commercial/Industrial	35100	coal tar pitch volatiles	Hazardous Material	50
0615040	DETERMINATION OF THE PROPERTY	LACKAWANNA	2/10/1996	Equipment Failure		CommerciaVIndustrial	35105	nknown hazardous materit Hazardous Material	it Hazardous Material	ď
9513910	BEI HLEHEM SIEEL	LACKAWANNA	3/8/1996	Equipment Failure		Commercial/Industrial	35199	unknown petroleum	Petroleum	, ,
9515/92	BEIHLEHEM STEEL	LACKAWANNA	3/10/1996	Equipment Faiture		CommerciaVIndustrial	35197	wastowater	Other	0
9516181	BETHLEHEM STEEL MACH SHOP	LACKAWANNA	3/18/1996	Traffic Accident		Commercial/Industrial	35146	hidroulin all	Other	750
9516738	BETHLEHEM STEEL PLANT	LACKAWANNA	3/27/1996	Equipment Failure	SMOKES CREFK	Rallroad Car	25462	inyurauric dit	Petroleum	100
9602137	BETHLEHEM STEEL	LACKAWANNA	5/14/1996	Other		Commercial/Industrial	95300) E CO	Other	0 ((bs)
9603223	BETHLEHEM STEEL	LACKAWANNA	6/7/1996	Frankmant Failure		Commission	35202	other -	Other	10
9604023	BETHLEHEM STEEL	LACKAWANNA	6/24/199E	Himan Error		Commercia/Industrial	35223	clay	Other	0
9606025	BETHLEHEM STEFI	LACKAMANINA	9/0/1006	Human Paris		CommerciaVIndustrial	35613	propylene glycol methyl eth	tf Other	20
9606921	RETHI CHEM STEEL	LACKAMANINA	013014300	Human Error		Railroad Car	35439	hydrauticoft	Petroleum	20
9803590	DETLI CHEM STEEL	LACKAWAININA	8/30/1996	Equipment Fallure		Commercial Vehicle	35366	hydraulic oil	Petroleum	10
OCCEOGO	DET IN CHICAGOLICA	LACKAWANNA	9/14/1996	Equipment Fallure		Commercial/Industrial	35324	#2 fuel off	Petroleum	45
9607786	BEI HLEHEM SIEEL	LACKAWANNA	9/20/1996	Unknown		Commercial/Industrial		unknown netroleum	Patroleum	1 0
9608394	BEIHLEHEM SIEEL - K142	LACKAWANNA	10/7/1996	Equipment Fallure		Commercial/Industrial	35353	2	Potroloum	9
9608394	BETHLEHEM STEEL - K142	LACKAWANNA	10/7/1996	Equipment Failure		Commercial/Industrial	35353	LV tot	Fetroleum	0
9609314	BETHLEHEM STEEL	LACKAWANNA	10/25/1996	Equipment Failure	THE RESIDENCE OF THE PARTY OF T	Commercial/Industrial	90000	<u>a</u>	Other	300
9609478	BETHLEHEM STEEL	LACKAWANNA	10/29/1996	Equipment Failure		Commercial/Industrial	000000	Kensol# 51	Other	
9609882	BETHLEHEM STEEL	LACKAWANNA	11/7/1996	Unknown	SMOKES PREEK	Commercial	353/0	wastewater	Other	150
9611091	BETHLEHEM STEEL	LACKAWANNA	12/9/1996	Fallinment Falling	SHOWED WHEEN	Commerciavindustrial	35376	unknown petroleum	Petroleum	0
9611386	BETHLEHEM STEEL	IACKAWANNA	12/16/1006	Equipment Fallure		Commercial/Industrial	35410	coal tar pitch volatiles	Hazardous Material	S
9612132	BETHLEHEM STEEL	I ACKAWANINA	1/0/1007	Equipment Failure		Commercial/Industrial	35429	tar	Other	25
9612455	BETHLEHEM BENZOL BECOVERY	SACKAWANNA	1/10/1007	Human Error	Committee of the Commit	Commercia/Industrial	35439	diesel	Petroleum	ιΩ
9612510	BETHLEHEM STEEL-COKE OVEN	LACKAWANNA	1/21/1007	Forman Error	SALTING AND SECTION OF		35989	kensol#61	Other	200
9612937	BETHLEHEM STEEL	LACKAWANNA	1/31/1007	Equipment Fallure		Institutional, Educational, Gov., Other	35457	coal tar pitch volatiles	Hazardous Material	ເດ
9612950	BETHLEHEM STEEL	LACKAWANNA	2/1/1007	Equipment Failure	Common and a second	Commercial/Industrial	35464	waste oil/used oil	Petroleum	7
9613731	RETHI EHEM STEEL CORP	LACKAMAMA	2007/1007	chulbinein Fandre	CAWAINA SHIP CAN	Commercial/Industrial	35702	coal tar pitch volatiles	Hazardous Material	12000
9614375	RETHI EHEM STEEL	LACKAMANIA	2/23/199/	Equipment Failure	BLASDELL CREEK	Commercial/Industrial	35495	wastewater	Other	300
9614869	RETHI SHEN STED	LACKAMANINA	3/11/199/	Human Error		Commercial/Industrial	35927	kensol#61	Other	4000
0000000	DETTINATION OFFICE	LACKAWANINA	3/26/199/	Equipment Failure		CommerciaUIndustrial	35516	ammonia	Hazardous Material	25
9701695	DETILITY STEEL	LACKAWANNA	4/21/1997	Equipment Failure		Commercial/Industrial	35541	unknown material	Other	7
3701051	BETHEREN STEEL PUMP HOUS	LACKAWANNA	5/8/1997	Equipment Failure		Commercial/Industrial	35702	wastewater	Other	. 02
3/01951	BEIHLEHEMSIEEL	LACKAWANNA	5/14/1997	Unknown		Commercial/Industrial		#6 fuel oil	Petroleum	} c
9708255	BETHLEHEM STEEL	LACKAWANNA	10/14/1997	Equipment Failure		Commercial/Industrial	35718	coal tar nitch volatilar	Unantdone Meterial	,
9709160	BETHLEHEM STEEL	LACKAWANNA	11/6/1997	Equipment Failure		Commercial/Industrial	35793	coal far pitch volatiles	Ugandous Material	10
9709531	BETHLEHEM STEEL	LACKAWANNA	11/17/1997	Equipment Failure		Commercial/Industrial	35759	coal fai pitcii voidines	nazardous Material	20
9709784	BETHLEHEM STEEL	LACKAWANNA	11/21/1997	Equipment Failure		Commercia/Industrial	35759	wastewater	Other	10
						Collingialisticial	60/00	ammonia	Hazardous Material	20

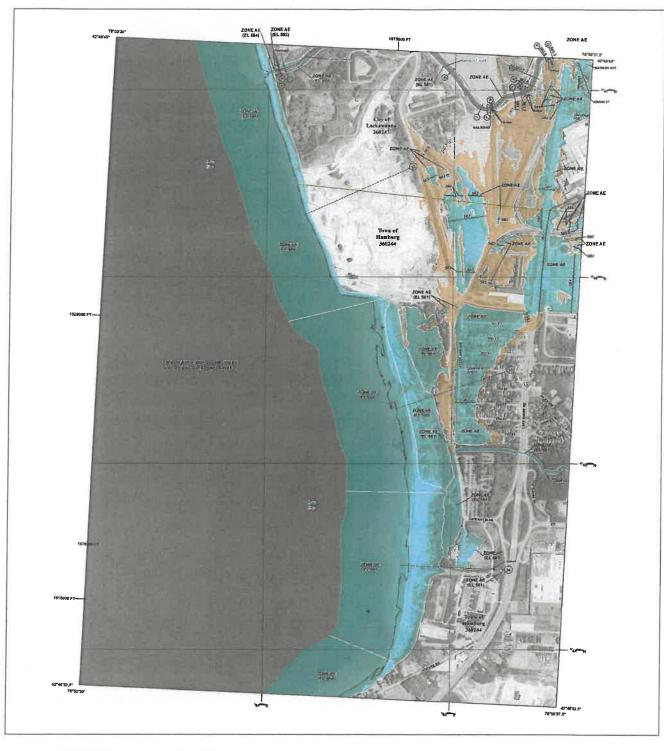
Spill Number	Program Facility Name	Locality	Spill Date	Contributing Eactor	Motorbode					
9710457	BETHLEHEM STEEL	LACKAWANNA	12/11/1997	Tonk Ownfill	waterbody	Source	Close Date	Material Name	mity	Quantity (gal.)
9711342	BETHLEHEM STEEL	LACKAWANINA	1/0/1000	Tanian Over IIII		Commerciavingustrial	35776	other -	Other	300
0804040	DETTI CHEM STEEL	אואואאראוסרו	1/3/1998	Equipment Failure		Commercial/Industrial	35807	other -	Other	2
9001240	BE: TLEHEM SIEEL	LACKAWANNA	4/29/1998	Equipment Fallure		Commercial/Industrial	35915	wastewater	Other	460
9801//2	BETHLEHEM STEEL	LACKAWANNA	5/11/1998	Equipment Failure		Commercial/Industrial	35928	- inomate	Harandana Maharia	400
9802479	BETHLEHEM STEEL	LACKAWANNA	5/27/1998	Human Error	The second	Commercial/Industrial	950.62	annum minum cultota	nazardous Material	a l
9805835	BETHLEHEM STEEL	LACKAWANNA	8/11/1998	Equipment Fallure		Commercial/Industrial	35010	ammonium sunate	Other	us.
9875014	BETHLEHEM STEEL EXCAVATIO	LACKAWANNA	9/1/1998	Other	New Contract of the Contract o	Institutional Educational Gov. Other	OTOOD	Sulfunc acid	Hazardous Material	4
9808777	BETHELHEM STEEL	LACKAWANNA	10/14/1998	Equipment Failure		Commercial/Industrial	36083	diesel	Petroleum	0
9809286	BETHLEHEM STEEL	LACKAWANNA	11/4/1998	Equipment Failure	STATE OF THE PARTY	Commercial/Industrial	26103	- Iallio	Other	20
9810764	BETHLEHEM STEEL	LACKAWANNA	11/24/1998	Equipment Failure		Major Facility (MOSE) > 400,000 mat	Solos	nydrauticoit	Petroleum	us en
9811024	BETHLEHEM STEEL	LACKAWANNA	12/2/1998	Equipment Failure	THE RESERVED	Commercial/Industrial	76796	tar	Other	25
9811024	BETHLEHEM STEEL	LACKAWANNA	12/2/1998	Follinment Failure		o interception of the control of the	30132	ammonia	Hazardous Material	5
9811092	BETHLEHEM STEEL	LACKAWANNA	12/3/1998	Faulpment Callure	Name and Address of the Owner, where	CommerciaVindustrial	36132	tar	Other	5
9812046	BETHI FHEM STEEL	I ACKAMANNA	12/25/1000	Equipment Failure		Commercia/Industrial	36133	tar	Other	2
9812131	BETUICUCMSTEEL	LACKAIRIANINA	42/20/1990	Equipment Failure		Commercial/Industrial	36165	ammonia	Hazardous Material	20
1012100	permission of the control	LACKAWANNA	12/29/1998	Equipment Faiture		Commercial/Industrial	36165	coal tar pitch volatiles	Hazardous Material	100
9012104	BEITH STEEL - CORE OVENS	LACKAWANNA	1/1/1999	Human Error		Commercial/Industrial	36164	kensol # 61	Other	100
9812241	BETHLEHEM STEEL	LACKAWANNA	1/4/1999	Equipment Failure		Commercial/Industrial	36172	washoil	Petroleum	40
9812512	BETHLEHEM STEEL	LACKAWANNA	1/10/1999	Equipment Failure		Commercial/Industrial	36172	coal far nitch volatiles	Hazardone Material) t
9812698	BETHLEHEM STEEL	LACKAWANNA	1/14/1999	Equipment Failure	THE SECTION AND THE PERSON NAMED IN COLUMN	Commercial/Industrial	36178	coal tar plack volatilos		63 ,
9812698	BETHLEHEM STEEL	LACKAWANNA	1/14/1999	Equipment Failure		Commercial/Industrial	36175	coatial pital volaties		0 (
9812698	BETHLEHEM STEEL	LACKAWANNA	1/14/1999	Equipment Failure	STREET, STREET	Commercial/Industrial	36476	A STEAM OF THE STE	Omer	0
9812777	BETHLEHEM STEEL	LACKAWANNA	1/18/1999	Equipment Failure		Commercial/Industrial	25100	naphthatene	Hazardous Material	75
9814631	BETHLEHEM STEEL	LACKAWANNA	3/9/1999	Equipment Eathers	THE RESIDENCE	Commercial (1-4:	noroc	washoit	Petroleum	0
9814810	BETHLEHEM STEEL/COKE PLAN	LACKAWANNA	3/12/1999	Fourthment Failure			36228	wash oil	Petroleum	10
9875456	BETHLEHEM STEP!	LACKAWANNA	3/13/1900	Equipment Equipment	The state of the s	insututional, Educational, Gov., Other	36245	wash oil	Petroleum	200
9901167	BETHI FHEM STEEL	I ACKAMANINA	4/30/1000	Equipment range		Commercial/Industrial	36245	wash oil	Petroleum	25
9901972	RETHI CHEM CTCC!	LACKAMANAIA	4/20/1999	OHKHOWN	The same of the sa	Commercial/Industrial	36320	coal tar pitch volatiles	Hazardous Material	10
9906525	BETHI GUEM STEEL	LACKAWAINIA	9/2(V/1999	Equipment Failure	TATAL MANAGEMENT	Commercial/Industrial	36300	coal tar pitch volatiles	Hazardous Material	S
220222	DETAILEREN SIEEL	LACKAWANNA	9/1/1999	Tank Failure		CommerciaVIndustrial	36417	#2 fuel oil		c
9975409	BEI HLEHEM SIEEL - USI	LACKAWANNA	9/1/1999	Tank Faiture		Commercial/Industrial	36503	#2 fuel oil	Petroleum	
/969066	BEIHLEHEM SIEEL	LACKAWANNA	9/2/1999	Equipment Failure		Commercial/Industrial	36417	ammonium sulfate	Other	ň
9907037	BETHLEHEM STEEL	LACKAWANNA	9/13/1999	Human Error		Commercial/Industrial	36416	aspestos	Hazardone Material	CT OF
9907209	BETHLEHEM STEEL	LACKAWANNA	9/16/1999	Other	CRREK	Commercial/Industrial	36420	unknown netroleum	Petroleum	a
9907540	BETHLEHEM COKE OVENS	LACKAWANNA	9/22/1999	Equipment Failure	THE PARTY OF	Commercial/Industrial	36426	ammonia	Hazardous Material	0
9908133	BETHLEHEM STEEL	LACKAWANNA	10/4/1999	Vandalism		Commercial/Industrial	36461	diesel	Petroleum	7500
2868382	BETHLEHEM STEEL	LACKAWANNA	10/10/1999	Equipment Failure		Commercial/Industrial	36445	[npe oil	Petroleim	2000
9908642	BETHLEHEM STEEL	LACKAWANNA	10/15/1999	Equipment Failure		Commercial/Industrial	36448	ammonia	Hazardons Material	, k
9908858	BETHLEHEM STEEL	LACKAWANNA	10/21/1999	Tank Overfill		Commercial/Industrial	36454	ammonium sulfate	Other	205
1210166	BEINLEHEMSIEEL	LACKAWANNA	11/20/1999	Human Error		Commercial/Industrial	36487	tar	Other	20
9911445	BEIHLEHEMSIEEL	LACKAWANNA	12/31/1999	Equipment Failure		Commercial/Industrial	36525	washoil	Petroleum	200
9912115	BEIHLEHEMSTEEL	LACKAWANNA	1/20/2000	Other		Commercial/Industrial	36546	washoil	Petroleum	10
9912155	BEIHLEHEMSIEEL	LACKAWANNA	1/21/2000	Equipment Failure	and a family ma	Institutional, Educational, Gov., Other	36546	ammonium sulfate	Other	C
9912381	BETHLEHEM STEEL	LACKAWANNA	1/28/2000	Equipment Failure		Commercial/Industrial	36556	coal tar pitch votatiles	Hazardous Material	6
62/7766	BEI HLEHEM STEEL	LACKAWANNA	2/8/2000	Equipment Fallure		Commercial/Industrial	36566	other ·	Other	280
9913014	BETHLEHEM STEEL	LACKAWANNA	2/15/2000	Human Error		Commercial/Industrial	36598	Washoil	Petroleum	200
9975685	BETHLEHEM STEEL	LACKAWANNA	2/15/2000	Human Error	LAKEERIE	Commercial/Industrial	36717	lio daewi	Pottoloum	200
9913384	BETHLEHEM STEEL	LACKAWANNA	2/25/2000	Equipment Failure		Commercial/Industrial	72,000	wash on	retroteum	200
9913378	BETHLEHEM STEEL	LACKAWANNA	2/25/2000	Equipment Failure	The second second	Commercial/Industrial	30304	ammonium sutrate	Other	200
75023	BETHLEHEM STEEL	LACKAWANNA	3/1/2000	Equipment Failure		Dolland Car	36584	tar	Other	40
						National Cal	36633	hydrautic oil	Petroleum	0

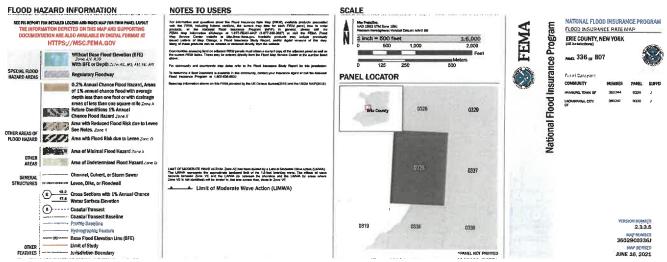
Spill Number	Program Facility Name	Locality	Spill Date	Contributing Factor	Waterhody	Some				
9913817	BETHLEHEM STEEL	LACKAWANNA	3/8/2000	Equipment Failure		annos	Close Date	Material Name	Material Family	Quantity (gat.)
9913913	BETHLEHEM STEEL	LACKAWANNA	3/9/2000	Fourinment Failure		Railroad Cal	36298	ammonium sulfate	Other	100
1054	BETHLEHEM STEEL	LACKAWANNA	4/26/2000	Equipment Fallure		illstitutional, Educational, Gov., Other	36598	ammonium sulfate	Other	300
2303	BETHLEHEM STEEL	LACKAWANNA	5/24/2000	Equipment Callone		CommerciaVIndustrial	36647	tar	Other	10
3110	BETHLEHEM STEEL	LACKAWANNA	6/13/2000	Equipment Failure	The second second second	Commercial/Industrial	36734	coal tar pitch volatiles	Hazardous Material	m
8438	BETHLEHEM/C AND D BUILDIN	LACKAWANNA	10/20/2000	Equipment Cailure		Commercial Vehicle	36733	hydraulic oil	Petroleum	200
8887	BETHLEHEM STEEL	LACKAWANNA	10/31/2000	Caribacturent range		Commercia/Industrial	36819	wastewater	Other	ഗ
8969	BETHLEHEM STEEL	1 ACKAWANINA	11/2/2000	equipment rangre		Commercial/Industrial	36831	#2 fuel oil	Petroleum	20
9822	BETHLEHEM STEEL	LACKAWANNA	11/20/2000	Orner		Commercial/Industrial	36833	wastewater	Other	01
9974	BETHI FHEM STEEL	I ACKNIMANINA	10/4/2000	Equipment Failure		CommerciaUIndustrial	36859	Wash oil	Petroleum	, r
10593	BETHI FHEM STEEL	LACKAMANIA	12/2/2000	Equipment Failure		Commercial/Industrial	36867	ammonia	Hazardous Material	9000
10697	RETH! FHEI M STEE!	I ACKAMINIAN	TELETIZADO	Equipment Failure		Commercial/Industrial	36882	washoil	Petroleum	200
10865	DETLI CLEM STEEL	LACKAWANNA	12/23/2000	Human Error		Commercial/Industrial	36887	tar	Other	4 14
11370	DETENTION OFFICE	LACKAWANNA	1/3/2001	Equipment Failure		Commercial/Industrial	36894	coal tar nitch volatiles	Hazardone Material	2 5
113/3	BEINLEHEM SIEEL	LACKAWANNA	1/19/2001	Equipment Failure		Commercial/Industrial	36910	coal far pitch volatiles	Hazardous Material	07
00/11	BEI MLEHEM STEEL	LACKAWANNA	1/30/2003	Unknown		Commercia/Industrial	35921	coar iai pitcii voidilles	nazardous Material	09
1265/	BETHLEHEM STEEL	LACKAWANNA	2/27/2001	Human Error		Commercial/Industrial	36055	norman news	Hazardous Material	0
175001	BETHLEHEM/SHIP CANAL	LACKAWANNA	4/2/2001	Unknown	ACKAWANNA SHIP CAN		20222	coal tar pitch volatites	Hazardous Material	m
101010	BETHLEHEM STEEL	LACKAWANNA	4/26/2001	Human Error			36983	unknown petroleum	Petroleum	5
101278	BETHLEHEM STEEL	LACKAWANNA	5/3/2001	Equipment Fallure		Commission	3/00/	dlesel	Petroleum	2
101991	BETHLEHEM STEEL/COKE DIV	LACKAWANNA	5/21/2001	Other		Commerciavindustriai	37014	wash oll	Petroleum	2
102886	BETH STEEL - SCRUB YARD	LACKAWANNA	6/15/2001	Himan Enge	The second second	Commercial/Industrial	37033	unknown petroleum	Petroleum	S
175183	BETHLEHEM STEEL	LACKAWANNA	7/1/2001	Interesting 1	11100	Commercial/Industrial	37060	kensoll	Other	200
104243	BETHLEHEM STEEL	LACKAWANNA	1007/00/2	Carrisment Fall	CKEEK	Unknown	37075	unknown petroleum	Petroleum	0
104728	BETH STEEL	1 ACKAWANINA	10000000	equipment Failure		Commercial/Industrial	37096	wash oil	Petroleum	10
105927	BETHI EHEM STEEL	t ACKAMANINA	0/2/2001	Human Error		Commercial/Industrial	37106	ammonia	Hazardous Material	150
106759	BETHI EHEM STEEL	LACKAMANINA	3/4/2001	Equipment Failure		Commercial/Industrial	37144	washoil	Petrolaum	100
107019	RETHI FHAM STEEL	LACKAMANNA	9/28/2001	Tank Overfill		Institutional, Educational, Gov., Other	37162	wash oil	Petroleum	20
110849	BETHLEHEM STEEL	LACKAMANINA	10/6/2001	Equipment Failure	AUTHORISM THE	Commercial/Industrial	37170	wastewater	Other	100
201338	BETHLEHEM STEFL IN TRENCH	LACKAWANNA	2012/2002	UNKHOWN		Commercial/Industrial	37575	other -	Other	20
202301	BETHLEHEM STEEL(S TRENCH)	LACKAMANINA	5/8/2002	Unknown		Commercial/Industrial	38212	unknown petroleum	Petroleum	20
275119	BETHI FHEM STEEL	LACKAMANINA	6/4/0000	Ollkillowin	NONE	Commercial/Industrial	38444	unknown petroleum	Petroleum	c
275236	BETHLEHEM STEEL COMPLEX	LACKAWANNA	9/6/2002	Equipment Failure		Commercial/Industrial	37411	hydrautic oil	Petroleum	5
375507	BETHI FHEM PARK	FACKAMANINA	3/4/2007	Equipment Fallure		Commercial/Industrial	37476	hydraulic oll	Petroleum	20
551524	BETH. STL. OLD FIBEHOUSE AT 1 GATE		1/1/2006	Ta-l-ri		Unknown	38068	unknown material	Other	0
Spill Number	Program Facility Name		Cuill Date	lank Failure		Commercial/Industrial	38741	unknown petroleum	Petroleum	0
8801710	SADO GAS SALES, INC.	1 ACKANANINIA	Spill Date	Contributing Factor	Waterbody	Source	Close Date	Material Name	Material Family	Ouantity (gal.)
8802160	OIL IN SMOKES CREEK	LACKAWANINA	5/0/1000	Tank Overrill		Commercial Vehicle	6/21/1988	dieset	Petroleum	5
8809587	SOUTH BUFFALO RAIL BOAD	LACKAMAMIA	9/19/1900	UNKDOWN	SMOKES CREEK	Unknown	9/14/1988	unknown petroteum	Petroleum	_
9102471	SAMIJEI SIEGEI	LACKAWANNA	5/13/1369	lank test railure		Commercial/Industrial	9/22/1989	diesel	Petroleum	0.0
9102643	ODOB AT 2424 DAMBIEC	LACKAMANIAA	6/1/1991	lank Failure		Commercial/Industrial	8/14/1992	diesel	Petroleum	, c
9202045	SOUTH BIREALO BALLMAY	LACKAWANNA	6/5/1991	TankFallure		Gasoline Station or other PBS Facility	6/11/1991	gasoline	Petroleum	9 6
92020	TIDNING AUTO PERSON	LACKAWANNA	5/18/1992	Tank Failure		Commercial/Industrial	8/25/1992	diesel	Petroleum	
9204343	Spread China	LACKAWANNA	7/1/1992	Deliberate		Commercial/Industrial	7/30/1992	waste oil/used oil	Petroleum	0 10
3200342	SOLITION SOLVOCO	LACKAWANNA	8/31/1992	line Station or other PBS Fa		Petroleum	0		THE PARTY OF THE P	P
9300093	SOUTH BUFFALU KAILWAY	LACKAWANNA	4/16/1993	Equipment Failure	SMOKES CREEK	Commercial/Industrial	1/25/1994	POReil	Doden Control	
9305397	SOUTH BUFFALO RAILWAY	LACKAWANNA	7/31/1993	Vandalism		Commercial/Industrial	11/3/1993	loool o	Ferroleum	30
9312999	SOUTH BUFFALO RAILROAD	LACKAWANNA	1/28/1994	Equipment Failure	Total Asia Asia	Railroad Car	2/2/1008	neser	Petroleum	1000
9402254	SOUTH BUFFALO RAILWAY	LACKAWANNA	5/13/1994	Equipment Failure		Bailroad Car	6/12/1004	verozene	Petroleum	co.
9403619	SHEEN IN SMOKES CREEK	LACKAWANNA	6/13/1994	Unknown	SMOKES CREEK	Linknown	6/13/1004	diesel	Petroleum	Ţ,
					The control of the co	The same of the sa	**************************************	unknown petroleum	Petroleum	0

Call Mumber										
adustings		Locality	Spill Date	Contributing Factor	Waterbody	Source	Close Date	Material Name	Material Family	Ottantific (gal.)
0407600	SHOKES CREEK-SPUES ZIG	LACKAWANNA	8/3/1994	Equipment Failure	SMOKES CREEK	Commercial/Industrial	8/15/1994	unknown petroleum	Petroleum	Commit (Ser.)
0407000	STORY CAS - SEIGEL	LACKAWANNA	9/2/1994	Tank Failure		Gasoline Station or other PBS Facility	8/28/1995	gasoline	Petroleum	0 6
9413839	SMOKES CREEK-BEIH SIEEL	LACKAWANNA	3/7/1995	Tank Failure	SMOKES CREEK	Commercial/Industrial	9/25/1996	Kerosene	Petroleum	000
9500233	SMOKES CREEK ATS. PARK	LACKAWANNA	4/3/1995	Unknown	SMOKES CREEK	Unknown	4/25/1995	unbrown patrolaum	Dottolenin	7000
9500233	SMOKES CREEK AT S. PARK	LACKAWANNA	4/3/1995	Unknown	SMOKES CREEK	Unknown	4/25/1995	Wasta offliead off	Petroleum	0
9504347	OAKGROVE CONSTRUCTION	LACKAWANNA	7/10/1995	Equipment Failure	Company of the Control of the Contro	Commercial Vehicle	7/12/1995	hydraulir oil	Petroleum	0
9504347	OAKGROVE CONSTRUCTION	LACKAWANNA	7/10/1995	Equipment Failure		Commercial Vehicle	7/12/1995	Wasto oil/lised oil	Petroleum	0
9508133	SOUTH BUFFALO RAILROAD	LACKAWANNA	9/29/1995	Equipment Failure		Railroad Car	10/30/1995	waste oldused oil	Petroleum	
9514251	STAROBA PLASTIC & METAL	LACKAWANNA	2/1/1996	Deliberate		Commercial/Industrial	2/0/1006	waste on used oil	Petroleum	40
9612575	YELLOW OIL ON SEAL STREET	LACKAWANNA	1/22/1997	Unknown	SMOKE CREEK		2/9/1990	waste oil/used oil	Petroleum	0
9711892	TRUCK AT BETHLEHEM STEEL	LACKAWANNA	1/23/1998	Traffic Accident	CHAPTER CHAPTER	Commercial Vobials	2/23/1998	unknown material	Other	0
9805713	NYSDOT PROJECT/BETHLEHEM	LACKAWANNA	8/1/1998	Inkonwo	The second second	Confiller of the second	1/23/1998	diesel	Petroleum	20
9805717	NYSDOT PROJECT/SMOKES CRK	LACKAWANNA	8/1/1998	Hokowa		Institutional, Educational, Gov., Other	4/12/2000	unknown material	Other	0
9805716	NYSDOT PROJECT/SPERDIJTI	IACKAWANINA	8/1/1008	JIMI - III		Institutional, Educational, Gov., Other	4/12/2000	unknown material	Other	0
9805875	SOLITH RIFERIO RAII ROAD	ACKAMANAIA	0/1/1000	Unknown		Gasoune Station or other PBS Facility	6/13/2000	gasoline	Petroleum	0
9975105	ON IN SMOKES OBECK	A CICAMAGINIA	0/1/1396	Housekeeping		CommerciaVindustrial	12/28/2004	#2 fuel oil	Petroleum	o
2010100	Off. IN SHOKES CREEK	CACKAWANNA	5/7/1999	Equipment Failure	SMOKES CREEK	Commercial/Industrial	5/7/1999	unknown petroleum	Petroleum	ä
/5033	OIL IN SMUKES CREEK	LACKAWANNA	4/19/2000	Deliberate	SMOKES CREEK	Unknown	4/24/2000	unknown petroleum	Petroleum	
3569	SEWAGE IN SMOKES CREEK	LACKAWANNA	6/22/2000	Unknown	SMOKES CREEK	Unknown	RAZZOGO	openiod med	Calibra	0
6655	TRUCK AT BETHLEHEM STEEL	LACKAWANNA	9/5/2000	Human Error	ICKAWANNA SHIP CAN	Commercial Vehicle	9/5/2000	waste oil/used oil	Ottlei	0
9416	NATIONAL VACUUM/BETHLEHEM	LACKAWANNA	11/16/2000	Human Error	THE PERSON NAMED IN	Commercial/Industrial	11/16/2000	waste on used on	Fetroleum	П
9416	NATIONAL VACUUM/BETHLEHEM	LACKAWANNA	11/16/2000	Human Error		Commercial/Industrial	11/16/2000	Mastewater	Other	20
100015	LACKAWANNA SHIP CANAL	LACKAWANNA	4/2/2001	Other	ACKAWANNA SHIP CAN	The state of the s	11/16/2000	tar	Other	10
111748	LACKAWANNA SHIP CANAL	LACKAWANNA	3/13/2002	Unknown	I ACKAWANNA CANAI	Unknown	4/20/2001	unknown petroleum	Petroleum	5
275129	SOUTH BUFFALO RAILWAY	LACKAWANNA	8/10/2002	Equipment Failure	אוויותייטוטט	UNKUNA	3/13/2002	unknown material	Other	0
275496	NI MO - BETH STEEL	LACKAMANINA	1/20/2002	Equipment ratione		Railtoad Car	1/2/2003	hydraulic oil	Petroleum	30
475033	OID GASOLINE STATION	I ACKAIMANINA	1/20/2003	Equipment Failure		Commercial/Industrial	7/30/2003	non PCB oil	Petroleum	ıs
406697	TEANISMISSION COLUMNOT	LACKAWANNA	4/19/2004	Unknown		Gasoline Station or other PBS Facility	4/12/2006	gasoline	Petroleum	0
403397	TANNON INCOME TO THE PROPERTY OF THE PROPERTY	LACKAWANNA	8/22/2004	Other	SMOKES CREEK	Commercial/Industrial	8/23/2004	hydraulic oil.	Petroleum	
/Ecc0+	I KANSMISSION EXCHANGE	LACKAWANNA	8/22/2004	Other	SMOKES CREEK	Commercial/Industrial	8/23/2004	hydraulic oil	Petroleum	0
408394	POLE #24	LACKAWANNA	10/29/2004	Equipment Failure		Commercial/Industrial	1/6/2005	fransformeroil	Petroleum	
485188	NEAR BETHLEHEM STEEL	LACKAWANNA	11/16/2004	Unknown		Commercial/Industrial	11/16/2004	lehotem awardan	Other.	7
507604	OLD BETHLEHEM STEEL PLANT	LACKAWANNA	9/24/2005	Other		Commercial/Industrial	9/26/2005	wach oil	Cale	0
551781	STEVEN KARAGA	LACKAWANNA	1/1/2006	Housekeeping	The second second	Commercial/Industrial	4/5/2005	wash oil	Petroleum	0
601647	LAKE EIRE/SMOKES CREEK	LACKAWANNA	5/13/2006	Unknown	IAKFRIE		4/3/2006	auto waste riulds	Petroleum	0
651947	EXCELL GASOLINE STATION	LACKAWANNA	2/13/2007	Unknown		Gasolino Station of ashor Doc Feeling	5/15/2006	unknown petroleum	Petroleum	0
800289	WIND TURBIN SITE	LACKAWANNA	4/15/2008	Fourthment Failure		Casonine Station of Other Pas Facility	9/18/200/	gasoline/ethanol	Petroleum	.0
903086	FORMER STEEL PLANT S/E CORNER	LACKAWANNA	6/16/2009	Other	Charles of the last of the las	Section 1 den	4/15/2008	hydrautic oil	Petroleum	,,
907369	FRANKS MINI MART	LACKAWANNA	9/30/2009	Fallinment Failure		Confinition Charles Clauming and a second an	10/29/2009	unknown petroleum	Petroleum	0
907640	POLE#4-2	LACKAWANNA	10/7/2009	Fourthment Failure	THE RESIDENCE OF THE PERSON NAMED IN	Casoline Station of Other PBS Facility	1/8/2010	diesel	Petroleum	2
1000261	FIRST WINDS TOWER 7	I ACKAWANNA	477/2010	Equipment Follows		Commercial/industrial	3/10/2010	transformer oil	Petroleum	10
1004601	TECUMSEH TANK FARM	IACKAMANNA	7/72/2010	Unknown	Third County	Commercial/Industrial	4/7/2010	gear/spindle oil	Petroleum	2
1007359	TUBBINE	LACKAMIANIA	10/0/2010	Cardonalia	DIARIACIANA	Commercial/Industrial	8/16/2010	#6 fuel oil	Petroleum	.0.
1112512	WINDTIBBINE	LACKAMANINA	1/20/2010	Equipment Failure		Commercial/Industrial	10/8/2010	hydraulic oil	Petroleum	0
1204435	NACON DAOD TOGONIA	CANADAMA CA L	DESTENT.	Equipment Failure		Commercial/Industrial	1/30/2012	lube oil	Petroleum	2
1212124	MISDOI ROAD WORK	LACKAWANNA	//10/2012	Other		Gasoline Station or other PBS Facility	10/28/2015	gasoline	Petroleum	0
1213134	SMUKES UREEK	LACKAWANNA	10/30/2012	Unknown	SMOKES CREEK	Commercial/Industrial		unknown petroleum	Petroleum	0
1400615	EXCEL FUELS	LACKAWANNA	7/10/2013	Equipment Failure		Gasoline Station or other PBS Facility	7/21/2014	gasoline	Petroleum	
1500010	SOLE SOLE		11/21/2014	Storm		Commercial Vehicle	5/15/2015	transformer oil	Petroleum	en en
1504364	COMSER REDEVELOPMENT WINDFAR	- 1	6/2/2015	Equipment Fallure	LAKE ERIE	Commercial/Industrial	6/12/2018	motor oil	Petroleum	
TANK LANGE	SPONES CREEK	LACKAWANNA	7/21/2015	Unknown	SMOKES CREEK	Unknown	7/28/2015	unknown petroleum	Petraleum	0

PARKINGLOFE AND LOSE STATE STATE AND LOSE S	Will Mainhay	Description of a second									
IEAR MULLBERRY REST/ SMOKES CREE	iagilina mid	Program Facility Name	Locality	Spill Date	Contributing Factor	Waterbody	Contras	Oleve Bate			
Total Commercial Com	1504507		LACKAMAKANINA	1,000,000		francisco	aning	Close Date	Material Name	Material Family	Ouantity (gal.)
LPG TRUCK OVERTURNED LACKAWANNA 12/21/2016 Traffic Accident Unknown 12/22/2015 unknown periodeum EKCELL PETROLEUM INC LACKAWANNA 5/31/2017 Other Commercial/Industrial 12/22/2015 properie gas 2600 HAMBURG TURNPIKE LACKAWANNA 11/39/2018 Equipment Failure Commercial/Industrial 2/25/2020 waste ol/used oilt NOCO EXPRESS LACKAWANNA 4/25/2019 Equipment Failure Gasoline Station or other PBS Facility 8/26/2019 gasoline NAT GRID LACKAWANNA 1/26/2019 Traffic Accident Passenger Vehicle 1/27/2019 unknown petroleum SHEEN IN CREK LACKAWANNA 3/11/2020 Unknown Commercial/Industrial 1/27/2019 unknown petroleum SHEEN IN CREK LACKAWANNA 3/11/2020 Unknown Commercial/Industrial 3/13/2020 waste oil/used oil WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Industrial 1/26/2019 unknown petroleum			CHINESPAN	GT07/G7//	Unknown	SMOKES CREEK	Unknown	7/28/2015	secondarion make a large		100
EXCELL PETROLEUM INC LACKAWANNA 5/31/2017 Talling countries Commercial/Industrial 12/22/2015 propane gas 2609 HAMBURG TURNPIKE LACKAWANNA 11/19/2018 Equipment Failure Commercial/Industrial 26/5/2017 gasoline NOCO EXPRESS LACKAWANNA 47/25/2019 Equipment Failure Gasoline Station or other PBS Facility 8/26/2019 waste oi/Lused oil NOCO EXPRESS LACKAWANNA 5/16/2019 Equipment Failure Gasoline Station or other PBS Facility 8/26/2019 gasoline PARKING LOT OF RAF SUPPLIES LACKAWANNA 1/16/2019 Unknown 5/16/2019 unknown petroleum SHEEN IN CREEK LACKAWANNA 1/12/2020 Unknown Commercial/Industrial 1/12/2020 waste oil/used oil WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Etrol Commercial/Industrial 1/12/2020 waste oil/used oil	1608937	LPG TRUCK OVERTURNED	LACKAWANNA	12/21/2016	Traffic Accident			01020277	unknown perroteum	Petroleum	0
Commercial/Industrial JACKAWANNA 1/19/2017 Other Commercial/Industrial 9/5/2017 gasoline 2600 HAMBURG TURNPIKE LACKAWANNA 1/19/2018 Equipment Failure Commercial/Industrial 2/25/2020 waste oi/Used oil Cackawanna JACZAU39 Equipment Failure Casoline Station or other PBS Facility 8/26/2019 diesel ACKAWANNA JACZAU39 Equipment Failure Casoline Station or other PBS Facility 8/26/2019 diesel ACKAWANNA JACZAU39 Equipment Failure Casoline Station or other PBS Facility 8/26/2019 gasoline ACKAWANNA JACZAU30 Traffic Accident Passenger Vehicle JACXAWANNA JACZAU30 Unknown Commercial/Industrial JACZAU30 waste oi/Used oil WAREHOUSE 23 LACKAWANNA JACZAU32 Human Error Commercial/Industrial JACZAU30 Aurana Aura	1705551	Contract Contract Contract		2000	Hattle Accreent		Unknown	12/22/2016	propane gas	Other	
2600 HAMBURG TURNPIKE LACKAWANNA 11/19/2018 Equipment Failure Commercial Authority and 12/54/2020 S930/11 Basonne associne NOCO EXPRESS LACKAWANNA 47/25/2019 Equipment Failure Casoline Station or other PBS Facility 8/26/2019 dieset NOCO EXPRESS LACKAWANNA 47/25/2019 Equipment Failure Gasoline Station or other PBS Facility 8/26/2019 dieset NAT GRID LACKAWANNA 5/16/2019 Unknown Unknown F/16/2019 unknown petroleum PARKING-LOT OF RAF SUPPLIES LACKAWANNA 1/26/2020 Traffic Accident LACKAWANNA 1/12/2020 motor oil WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Industrial 1/12/2020 waste oi/Used oil	100001	EACELE PETROLEUM INC	LACKAWANNA	5/31/2017	Other		Commercial/Industrial	1400/3/0			
NOCO EXPRESS	1808831	2600 HAMBURG TURNPIKE	LACKAMAMINIA	11/10/2010	The state of the S	The second secon	commercial	/T07/6/6	gasonne	Petroleum	0
NOCO EXPRESS LACKAWANNA 4728/2019 Equipment Failure Gasoline Station or other PBS Facility 8/26/2019 Incommentation NOCO EXPRESS LACKAWANNA 4/25/2019 Equipment Failure Gasoline Station or other PBS Facility 8/26/2019 diesel NAT GRID LACKAWANNA 5/16/2019 Unknown Unknown F16/2019 unknown petroleum PARKING LOT OF RAF SUPPLIES LACKAWANNA 1/26/2020 Traffic Accident PASSENGEV Vehicle 1/27/2020 motor oil WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Industrial 1/2/2020 waste oi/Lused oil	,00000		CALL TO LOCAL	0102/6171	Equipment Fature		Commercial/Industrial	2/25/2020	Waste Oil/lead nil	Dotroloum	400
NOCO EXPRESS LACKAWANNA 4/25/2019 Equipment Fallure Cossume Station or other PBS Facility 8/26/2019 diesel NAT GRID LACKAWANNA 5/16/2019 Unknown Unknown Unknown Passenger Vehicle 1/26/2019 unknown petroleum SHEEN IN CREEK LACKAWANNA 3/11/2020 Unknown Commercial/Industrial 3/13/2020 waste oil/used oil WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Industrial 1/16/2020 waste oil/used oil	1900861	NOCO EXPRESS	LACKAWANNA	4/25/2019	Equipment Failure		Gasolino Ctation or other DDS Cantille.	0,00,00	No page allo agent	redigiedili	07
MAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Informatical Informatical Lackawanna	1900861	NOCO EXPRESS	1 ACVANAGABIAN	a total mote			Sasoume Station of their Pos Pacifity	8/26/2019	diesel	Petroleum	0
NAT GRID LACKAWANNA \$/16/2019 Unknown Unknown Unknown \$/16/2019 Unknown petroleum PARKING LOT OF RAF SUPPLIES LACKAWANNA 1/26/2020 Traffic Accident Passsenger Vehicle 1/27/2020 Unknown SHEEN IN CREEK LACKAWANNA 3/11/2020 Unknown Commercial/Unknistral 3/13/2020 wate oil/used oil WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Unknistral 1/16/2020 wate oil/used oil	100000	ממוני מין נורמין	THE WANTER	4/25/2019	Equipment Failure		Gasoline Station or other DBC Facility	010012010	2 1		
PARKING-LOT OF RESUPPLIES LACKAWANNA J.12/2020 Traffic Accident Passenger Vehicle 1/22/2020 motor oil Inchemental of the control oil oil WAREHOUSE 23 LACKAWANNA 1/2/2020 Human Error Commercial/Industrial 3/13/2020 waste oil/used oil	1901643	NATGRID	LACKAMANINA	01001010			casonic element of celler rips racinty	6/72/57/5	gasoline	Petroleum	0
PARKING LOT OF RAF SUPPLIES LAGKAWANNA 1/26/2020 Traffic Accident PASSENGE Vehicle 1/27/2020 Incommercial Management of the properties of t		Cition 1911	ANIMANANA A	5/16/2019	Unknown		Unknown	5/16/2019	miolarion amountil	Date Lance	
SHEEN IN CREEK	1910115	PARKING LOT OF RAF SUPPLIES	LACKAWANNA	1/26/2020	Traffic Accident	THE STREET, ST		0.000	allivilowii ped otealii	Fetroleum	0
SHEEN IN CREEK LACKAWANNA 3/1/2020 Unknown Commercia/Industrial 3/13/2020 waste oif/used oil in WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercia/Industrial 1/16/2020	404440				Transport with the	STATE	Passanger Venicin	1/27/2020	motoroil	Potroloum	
WAREHOUSE 23 LACKAWANNA 10/20/2022 Human Error Commercial/Infinitetral 1/6/2022 Waste DIU/Sed Oil 1	1911447	SHEEN IN CREEK	LACKAWANNA	3/11/2020	Unknown		Commercial/Industrial	000000000		- Choiceann	0
CACAMANANIA TUKUKUKA HUMBA ETIOI COMMERCIALINISIS 1/6/2022	2206249	WARFHOUSE 22	LACKAMAINIA	000000000	1	The second secon	The state of the s	31 13/ 2020	Waste bit/Used oil	Petroleum	0
			VALUE AND LOCATION OF THE PARTY	TOLKOZOZZ	HUMBIN ETTOL		Commercial/Industrial	1/8/2022			

Attachment B FEMA National Flood Insurance Rate Map





Attachment C US Fish & Wildlife Threatened and Endangered Species List



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Ecological Services Field Office 3817 Luker Road Cortland, NY 13045-9385 Phone: (607) 753-9334 Fax: (607) 753-9699

Phone: (607) 753-9334 Fax: (607) 753-96 Email Address: <u>fw5es_nyfo@fws.gov</u>

In Reply Refer To:

02/06/2025 15:16:29 UTC

Project Code: 2025-0052732

Project Name: Wye Yard Rail Expansion

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New York Ecological Services Field Office 3817 Luker Road Cortland, NY 13045-9385 (607) 753-9334

PROJECT SUMMARY

Project Code: 20

2025-0052732

Project Name:

Wye Yard Rail Expansion

Project Type:

Railroad - New Construction

Project Description: The proposed project consists of the deconstruction and relocation of a

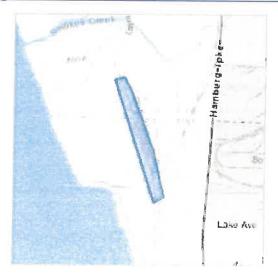
railbed and tracks. The existing railbed and tracks are located east of the proposed project site adjacent to NYS Route 5. The proposed railbed and

tracks will be located adjacent to existing track south of the solar

installation to provide an expansion of the existing service.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.804012549999996,-78.85327421833128,14z



Counties: Erie County, New York

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME

Northern Long-eared Bat Myotis septentrionalis Endangered

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045

INSECTS

NAME

Monarch Butterfly Danaus plexippus Proposed

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.

Species profile: https://ecos.fws.gov/ecp/species/9743

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency:

Private Entity

Name:

Thomas Voigt

Address:

141 Elm Street

Address Line 2: Suite 100

City:

Buffalo

State:

NY

Zip:

14203

Email

tvoigt@cscos.com

Phone:

7169553032

Attachment D NYSHPO Letter of No Impact



KATHY HOCHUL Governor

RANDY SIMONS Commissioner Pro Tempore

February 18, 2025

Thomas Voigt C&S Engineers, Inc. 141 Elm Street Buffalo, NY 14203

Re: SEQRA

Wye Yard Rail Relocation City of Lackawanna and Town of Hamburg, Erie County, NY 25PR01338

Dear Thomas Voigt:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please contact Chelsea Towers at the following email address:

Chelsea.Towers@parks.ny.gov

Sincerely.

R. Daniel Mackay

Deputy Commissioner for Historic Preservation Division for Historic Preservation

Attachment E NYS Great Lakes Seaway Trail Map

Jnautauqua/Iviagara Section



Full Environmental Assessment Form Part 2 - Identification of Potential Project Impacts

Project : WYE Yard Relocation

Date : April 2025

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) If "Yes", answer questions a - j. If "No", move on to Section 2.	□no		YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	Ø	
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	Ø	
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	Ø	
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	Ø	
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	Dle	Ø	
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	Ø	
h. Other impacts:			

2. Impact on Geological Features			
The proposed action may result in the modification or destruction of, or inhaccess to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)	ibit 🗸 N	0 []YES
If "Yes", answer questions a - c. If "No", move on to Section 3.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may
a. Identify the specific land form(s) attached:	E2g		
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:	E3c	0	0
c. Other impacts:		0	
			.]
3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) If "Yes", answer questions a - l. If "No", move on to Section 4.	□no) Z	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	Ø	
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	Ø	
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	Ø	
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	Ø	
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	Ø	
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	Ø	
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	Ø	
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e		
 The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action. 	E2h	Ø	
 The proposed action may involve the application of pesticides or herbicides in or around any water body. 	D2q, E2h	Ø	
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	Ø	

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1. Other impacts:			
4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquit (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.	₹No	о []YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	0	
 b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: 	D2c		
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	۵	0
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E21		
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h		
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l		0
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	0	0
h. Other impacts:		0	
5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.	□no		YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	Ø	
o. The proposed action may result in development within a 100 year floodplain.	E2j		Ø
e. The proposed action may result in development within a 500 year floodplain.	E2k		Ø
The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	Ø	
c. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	Ø	
If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	Ø	

g. Other impacts:			
6. Impacts on Air			-
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) If "Yes", answer questions a - f. If "No", move on to Section 7.		O [⁄	JYES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
 a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO₂) ii. More than 3.5 tons/year of nitrous oxide (N₂O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane 	D2g D2g D2g D2g D2g D2g		00000
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	Ø	
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	Ø	
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	Ø	
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	Ø	
f. Other impacts:		Ø	, 0
7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. If "Yes", answer questions a - j. If "No", move on to Section 8.	mq.)	□NO	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	Ø	
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	Ø	
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	Ø	0
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or	E2p	Ø	

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E3c	Ø	
E2n	Ø	
E2m	Ø	
E1b	Ø	
D2q	[2]	
and b.)	NO	☐ YES
Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
E2c, E3b	0	
Ela, Elb		
E3b		
E1b, E3a		
El a, E1b		
C2c, C3, D2c, D2d		
C2c	0	
	E2m E2m E1b D2q And b.) Relevant Part I Question(s) E2c, E3b E1a, E1b E3b E1b, E3a El a, E1b C2c, C3, D2c, D2d	E2n

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project ar a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) If "Yes", answer questions a - g. If "No", go to Section 10.	osed project and		YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h			
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	Ø		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	ZI ZI		
 d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities 	E3h E2q, E1c	Z Z		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	Ø		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½-3 mile 3-5 mile 5+ mile	Dla, Ela, Dlf, Dlg	Z		
g. Other impacts:				
10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) If "Yes", answer questions a - e. If "No", go to Section 11.) /	YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur	
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	ЕЗе	☑		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f		Ø	
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source:	E3g	Ø		

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d. Other impacts:			
If any of the above (a-d) are answered "Moderate to large impact may e. occur", continue with the following questions to help support conclusions in Part 3:			
 The proposed action may result in the destruction or alteration of all or part of the site or property. 	E3e, E3g, E3f		
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b		
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	Ø	
11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.	√ N	о []YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p		0
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q		0
 c. The proposed action may eliminate open space or recreational resource in an area with few such resources. 	C2a, C2c E1c, E2q		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c		
e. Other impacts:			0
12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.	✓ No	o 🗌	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d		
c. Other impacts:			

13. Impact on Transportation The proposed action may result in a change to existing transportation system (See Part 1. D.2.j) If "Vee" granter receives a set of "We" and a Section 14.	as.	10	YES
If "Yes", answer questions a - f. If "No", go to Section 14.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j		0
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	0	
c. The proposed action will degrade existing transit access.	D2j		
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	0	
e. The proposed action may alter the present pattern of movement of people or goods.	D2j		
f. Other impacts:		0	0
14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) If "Yes", answer questions a - e. If "No", go to Section 15.	✓N	0 🗆	YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k		
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k		
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k		
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	0	0
e. Other Impacts:			
15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor light (See Part 1. D.2.m., n., and o.) If "Yes", answer questions a - f. If "No", go to Section 16.	ting. 🔽 NO		YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
 a. The proposed action may produce sound above noise levels established by local regulation. 	D2m		
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	0	
c. The proposed action may result in routine odors for more than one hour per day.	D2o		

e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a		
f. Other impacts:			
16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. a If "Yes", answer questions a - m. If "No", go to Section 17.	and h.)	o 🗸	YES
	Relevant Part I Question(s)	No,or small impact may eccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d		Ø
b. The site of the proposed action is currently undergoing remediation.	Elg, Elh		Z
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	Elg, Elh		Ø
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	Ø	
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	Elg, Elh	Ø	
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	Ø	
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	Ø	
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	Ø	
 The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. 	D2r, D2s	Ø	
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	Ø	
 k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures. 	Elf, Elg	Ø	
 The proposed action may result in the release of contaminated leachate from the project site. 	D2s, E1f, D2r		

D2n

d. The proposed action may result in light shining onto adjoining properties.

m. Other impacts: ___

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) If "Yes", answer questions a - h. If "No", go to Section 18.	✓ NO) "	YES
y y y y y y y y y y y y y y y y y y y	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	0	
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a		0
h. Other:		0	
18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3.	√ NC) []	YES
The proposed project is inconsistent with the existing community character.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3)	Relevant Part I	No, or small impact	Moderate to large impact may
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3. a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3. a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	Relevant Part I Question(s) E3e, E3f, E3g	No, or small impact may occur	Moderate to large impact may occur
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3. a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	Relevant Part I Question(s) E3e, E3f, E3g C4 C2, C3, D1f	No, or small impact may occur	Moderate to large impact may occur
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3. a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing. d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	Relevant Part I Question(s) E3e, E3f, E3g C4 C2, C3, D1f D1g, E1a	No, or small impact may occur	Moderate to large impact may occur
The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3. a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community. b. The proposed action may create a demand for additional community services (e.g. schools, police and fire) c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing. d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources. e. The proposed action is inconsistent with the predominant architectural scale and	Relevant Part I Question(s) E3e, E3f, E3g C4 C2, C3, D1f D1g, E1a C2, E3	No, or small impact may occur	Moderate to large impact may occur

PRINT FULL FORM

Project : WYE Yard Relocation
Date : April 2025

Full Environmental Assessment Form Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact
 occurring, number of people affected by the impact and any additional environmental consequences if the impact were to
 occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where
 there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse
 environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- · Attach additional sheets, as needed.

see attached narrative	onai succis, as needed.				
- COO GRADING HAITAUVE					
				320	
	Determination	of Significance -	Type 1 and U	Inlisted Actions	
SEQR Status:	Type 1	Unlisted			
Identify portions of EA	F completed for this Pro	ject: 🔽 Part 1	✓ Part 2	Part 3	

Upon review of the information recorded on this EAF, as noted, plus this additional support information see attached narrative	
and considering both the magnitude and importance of each identified potential impact, it is the conclusio The Buffalo and Erie County Industrial Land Development Corporation as lead	on of the d agency that:
A. This project will result in no significant adverse impacts on the environment, and, therefore, an e statement need not be prepared. Accordingly, this negative declaration is issued.	environmental impact
B. Although this project could have a significant adverse impact on the environment, that impact wi substantially mitigated because of the following conditions which will be required by the lead agency:	ill be avoided or
There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6	s conditioned negative NYCRR 617.7(d)).
C. This Project may result in one or more significant adverse impacts on the environment, and an en statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternative impacts. Accordingly, this positive declaration is issued.	ivironmental impact wes to avoid or reduce those
Name of Action: WYE Yard Relocation	
Name of Lead Agency: Buffalo and Erie County Industrial Land Development Corporation	
Name of Responsible Officer in Lead Agency:	
Title of Responsible Officer:	
Signature of Responsible Officer in Lead Agency:	Date:
Signature of Preparer (if different from Responsible Officer)	Date:
For Further Information:	
Contact Person:	
Address:	
Telephone Number:	
E-mail:	
For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:	
Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., To Other involved agencies (if any) Applicant (if any)	wn / City / Village of)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html	

PRINT FULL FORM

WYE Yard Relocation Portion of 2303 Hamburg Turnpike (NYS Route 5), Buffalo, NY FEAF Part 3 Evaluation

The following impacts were identified in the Full Environmental Assessment Form (FEAF) Part 2 as potentially being a moderate to large impact due to the proposed project. Each moderate to large potential impact was evaluated for the anticipated magnitude and importance of the impact to determine if the proposed project would have a significant adverse impact on the environment.

5: Impact on Flooding

b. The proposed action may result in development within a 100-year floodplain.

Proposed actions within the 100-year floodplain include the grading of existing land using materials that exist on site, and the installation of rail tracks. There will not be any additional impervious surfaces introduced to the project site from the proposed action and therefore it is not anticipated that there will be a significant impact on flooding.

c. The proposed action may result in development within a 500-year floodplain.

Proposed actions within the 500-year floodplain include the grading of existing land using materials that exist on site, and the installation of rail tracks. There will not be any additional impervious surfaces introduced to the project site from the proposed action and therefore it is not anticipated that there will be a significant impact on flooding.

9: Impact on Aesthetic Resources

a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.

The proposed action is visible from certain vantage points along NYS Rt 5 which is a federally designated scenic corridor called the Great Lakes Seaway Trial. Foliage along the road corridor provides a natural barrier to the activity of the proposed project. Seasonally, during the winter months the proposed project may be seen from the road corridor. The most visible portion of the project is the area of track removal that is located directly adjacent to NYS Rt 5. After the project is completed, the area closest to the road corridor will no longer have rail tracks or rail activity, lessening the potential for visual impacts.

10: Impact on Historic and Cultural Resources

b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

The proposed project is located within an area identified by NYSHPO as archeologically sensitive. On February 18, 2025, NYSHPO issued a letter stating that their review concurred with the project sponsor that there will not be any archaeological impacts based on the proposed project.

e(i). The proposed action may result in the destruction or alteration of all or part of the site or property.

The proposed project will alter the subject site; however, NYSHPO has concluded that there will be no impact to historical or archeological resources.

16: Impact on Human Health

a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.

The proposed project is approximately 1,500 feet from Tinydreams Daycare located at 75 Beech Street in the City of Lackawanna. The project is not visible from daycare, nor will it produce unwanted nuisance of odor or light emissions that will impact the daycare in any way.

b. The site of the proposed action is currently undergoing remediation.

Remediation efforts for the project site are part of a larger remediation scheme for the former Bethlehem Steel site. The project site and surrounding parcels are subject to institutional controls that limit property uses. Environmental easements placed on the properties as a result of the NYS Brownfield Cleanup Program require Site Management Plans and ensure that remediation efforts follow best practices for the restoration of the land and eventual reuse. Due to the stringent institutional controls in place, it is not anticipated that the proposed action will have a significant impact on existing remediation efforts or future remediation efforts.

c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.

Due to the contamination and site remediation that has historically occurred on the subject site, there are institutional controls that require constant oversight and communication with the NYSDEC. These controls are part of a Site Management Plan that includes provisions for the prevention of spills. Additionally, if future spills occur on the subject site, contractors or site operators will be required to immediately report the spill and follow all NYS and federal regulations for its cleanup.

BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION RESOLUTION

A meeting of the Buffalo and Erie County Industrial Land Development Corporation (the "Corporation") was convened on April 23, 2025, at 12:00 a.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION (THE "ILDC") ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE WYE YARD RAIL RELOATION RPOJECT

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (the "ILDC") is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

WHEREAS, the ILDC and Tecumseh Redevelopment Inc. (the "Seller") are parties to that certain Agreement of Purchase and Sale dated as of June 24, 2021 (the "PSA") pursuant to which the ILDC desires to purchase, in one or more separate transactions, certain real property as described therein, including Parcel II-1, Parcel II-2 and Parcel II-3 as described therein (and also collectively known as Parcel #1); and

WHEREAS, Parcel #1 is encumbered by certain railroad facilities owned, operated, and maintained by the South Buffalo Railway Company ("SBR"), said facilities to hereinafter to be referred to as the "Railroad Facilities"; and

WHERES, the Railroad Facilities are situate upon what is commonly referred to as the "Wye Yard"; and

WHEREAS, it is necessary to remove the Railroad Facilities from Parcel #1 to facilitate its remediation and redevelopment in accordance with the ILDC's intended purposes for acquiring the property described within the PSA; and

WHEREAS, pursuant to the PSA, Seller has agreed to convey certain real property adjacent to Parcel #1 known as the "POCO Yard" and to be hereinafter referred to as the "Relocation Parcel" to SBR to facilitate the relocation of the Railroad Facilities and thereby removing encumbrances that otherwise adversely impact the future reuse of Parcel #1; and

WHEREAS, to accommodate the forgoing, the ILDC desire to undertake a certain project consisting of (i) the deconstruction of the Railroad Facilities situate within the Wye Yard and (ii) the relocation and reconstruction of the Railroad Facilities upon and within the Relocation Parcel (the "Project"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and the regulations promulgated thereto at 6 NYCRR Part 617 (collectively referred to as "SEQRA"), the ILDC is required to undertake a review of the potential significant adverse environmental impacts associated with the Project; and

WHEREAS, to assist the ILDC in determining whether the undertaking of the Project may have a potential significant adverse effect upon the environment, the ILDC has prepared and submitted a Full Environmental Assessment Form (the "EAF") and supporting materials (the EAF and supporting materials collectively referred to as the "SEQRA Materials"), and copies of said SEQRA Materials are on file in the office of the ILDC and are readily accessible to the public; and

WHEREAS, by letter dated March 13, 2025 the ILDC distributed notice of its intent to act as lead agency to complete the SEQRA review of the Project to all involved and interested agencies, forwarded copies of the EAF to all such involved and interested agencies, and requested that each involved agency consent to the ILDC acting as lead agency pursuant to SEQRA and provide any applicable comments to be considered by the ILDC in reaching its determination of environmental significance for the Project; and

WHEREAS, none of the involved agencies objected to the ILDC acting as lead agency within the regulatory 30-day time period pursuant to SEQRA; and

WHEREAS, the ILDC desires to declare itself as Lead Agency under 6 N.Y.C.R.R. §617.6 of SEQRA; and

WHEREAS, the ILDC has reviewed all information provided in the Part 1 of the EAF and the SEQRA Materials regarding the activities proposed for the Project and the potential impacts of the Project on the environment, and completed the responses required in Parts 2 and 3 of the EAF; and

WHEREAS, the ILDC has considered the significance of the potential adverse environmental impacts of the Project by; (a) using the criteria specified in 6 N.Y.C.R.R § 617.7 of the SEQRA regulations; (b) examining the EAF and the SEQRA Materials for the Project in order to identify potential environmental impacts; and (c) thoroughly analyzing the identified potential environmental impacts to determine their significance and scope.

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:

Upon due consideration by the ILDC of the SEQRA Materials, the comments provided by the involved agencies, as well as the surveys and studies completed, the ILDC makes the following findings:

- Section 1. The ILDC has considered the Project pursuant to the parameters set forth in 6 N.Y.C.R.R. §§ 617.2(b) and 617.3(g) of the SEQRA regulations.
- Section 2. The ILDC classifies the Project as a Type I action pursuant to the SEQRA regulations.
- Section 3. The ILDC undertook coordinated review and declares itself "Lead Agency" as said term is defined by SEQRA with respect to undertaking a coordinated review of the Project pursuant to SEQRA;
- Section 4. The ILDC has carefully reviewed the SEQRA Materials and the criteria set forth in 6 N.Y.C.R.R. § 617.7(c) of the SEQRA regulations, as well as considered the comments received from the involved agencies regarding the Project. Based on the foregoing, the Agency has thoroughly and comprehensively analyzed the potential relevant areas of environmental concern, and finds that the Project will not result in a potential significant adverse impact on the environment for the following reasons:

Impacts to Land, Geological Features, Agricultural Uses, Community Character, as well as Potential Cumulative Impacts:

The Project will disturb approximately 24.2 acres of land but merely removes existing Railroad Facilities from one area to another area within the Project site, all of which is occurring within a formerly heavy industrial area. The proposed project includes the excavation of approximately 150,000 cubic yards of slag material and pending further environmental testing in coordination with the New York State Department of Environmental Conservation ("DEC") slag materials are expected to be used to grade adjacent areas. Work related to slag material excavation will be performed in conformance with the DEC Division of Materials Management Program Policy 5 – Management of Soils Contaminated with Technologically-Enhanced Naturally Occurring Radioactive Materials. In additional to slag, a portion of the proposed project is occurring on property enrolled in the New York State Brownfield Cleanup Program ("BCP"). Any work in these areas will be performed in conformance with the applicable BCP Site Management Plan. As such, the Project will not have a significant adverse impact on land.

No potential significant adverse impact to any geological features of significance is anticipated as no such geological features on the Project sites have been identified. In addition, the Project is not inconsistent with adopted land use plans, and no agricultural lands will be impacted.

For the reasons set forth above, no significant adverse impact is anticipated to community character as the Project involves the relocation of already existing Railroad Facilities and there will be no change in use, and no material change in the intensity of such use associated with the construction or operation of the Project.

In addition, no potentially significant adverse impacts from cumulative impacts are anticipated.

<u>Impacts to Groundwater, Stormwater, Wetlands, Surface Water and Designated Floodplains:</u>

The Project will not have any significant adverse environmental impact on water or from water, including surface or ground water, or from stormwater, and there will be no significant adverse impact to wetlands.

The Project will not cause soil erosion nor otherwise create a source of stormwater discharge that could lead to siltation or other degradation of receiving water bodies. Soil erosion during construction will be controlled and mitigated by stormwater management practices. As such, no significant adverse impacts to surface waters due to potential soil erosion will be created by the Project.

Furthermore, while the Project is located within both the 100-year and 500-year floodplains, no additional impervious surfaces will result from the proposed action and therefor it not anticipated that there will be a significant impact on flooding.

Air Quality, Health, Noise, Odor, Light and Safety Impacts:

The Project will not result in any significant adverse impact to air quality from traffic or operations associated with construction, including from construction vehicles. Development associated with the Project will not create a State regulated air emissions source and while construction will have an impact on air emissions including those from construction equipment and material delivery vehicles, such impacts are not anticipated to be significant, but rather short-term and discreet.

The Project is approximately 1,500 feet from Tinydreams Daycare facility. However, it is not visible from that facility, nor will the Project produce unwanted nuisance or odor or light emissions that will impact the daycare in any way.

Remediation efforts for the Project site are part of a larger remediation scheme for the Renaissance Commerce Park. The Project site and surrounding parcels are subject to institutional controls limiting property uses. Environmental easements placed on the properties associated with the BCP program require Site Management Plans to ensure remediation efforts follow best practices ensuring health and human safety. Due to the stringent institutional controls in place, the proposed action will not have a significant impact on health and human safety.

Impacts on Local Utilities and Energy:

The Project will not result in a significant adverse impact relating to utility and energy usage. The Project will not require a change in energy demand or use and, as such, no significant adverse impacts on local utilities or energy use will occur.

Impacts to Plants and Animals Including to Threatened or Endangered Species:

The Project will not impact any known habitats of threatened or endangered species. The Project will also not impact any species of plants or animals that are listed by the State of New York as rare, or as species of special concern. As such, the Project will not result in significant adverse impacts to plants or animals.

Impacts to Aesthetic Resources:

The Project will not have a significant adverse impact on aesthetic resources associated with the Project sites. The proposed action is visible from certain vantage points along NYS Route 5 which is a federally designated scenic corridor called the Great Lakes Seaway Trail. After the Project is completed, the area closest to the roadway corridor will no longer have railroad facilities or rail activity, lessening the potential for visual impacts. As discussed in detail above regarding impacts to land, the Project will not have a significant impact because the uses associated with the Project sites will remain the same after the Project is completed as they are now. Further, no significant increase to the intensity of uses is proposed for the Project sites, which further demonstrates there will be no potentially significant adverse impact to aesthetic resources.

Impacts to Archeological and Historical Resources:

The Project will not have a significant adverse impact on archeological or historic resources. The New York State Historic Preservation Office has issued a letter stating that there will not be any archaeological impacts based resulting from the proposed Project.

Impacts on Open Space and Recreation:

The Project will not have a significant adverse impact on existing open space and recreation, as the Project site has been developed and used for commercial and industrial purposes for decades, and the Project work will not change such use.

Impacts on Critical Environmental Areas:

The Project will not have a potential significant adverse impact on a Critical Environmental Area (CEA) as no such CEA has been identified on or near the Project sites.

<u>Impacts on Transportation (Traffic):</u>

The Project will not have a potential significant adverse impact on Transportation.

Section 5. Based on the foregoing, the ILDC finds that the Project will not have a potential significant adverse impact on the environment, and will not require the preparation of an environmental impact statement for the Project, in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, in particular, pursuant to the criteria set forth at 6 NYCRR § 617.7(b)-(c) of the SEQRA regulations. The ILDC therefore issues a Negative Declaration pursuant to § 617.7 of the SEQRA regulations and directs that notice of this Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations and as the ILDC may deem advisable.

Section 6. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law by members of the board of directors of the ILDC, 95 Perry Street, Buffalo, New York 14203. Additional information regarding this Resolution may be obtained from the ILDC at its office, telephone number (716) 856-6525.

Section 7. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 8. This Resolution shall take effect immediately upon adoption.

Dated: April 23, 2025



MEMO:

Date: April 23, 2025

To: ILDC Board of Directors

RE: Erie County Grant

Background:

The Buffalo and Erie County Industrial Land Development Corporation (ILDC) was recently awarded a grant from the 2025 Erie County budget for up to \$250,000. The grant will be used to cover operational and other soft costs associated with the ILDC's land development activities. The ILDC's is currently working to further develop the Renaissance Commerce Park (RCP) and the Erie County Agribusiness Park.

Projects slated for the coming year include new roadways in the Odell Street corridor, Ridge Road corridor and relocation of the Wye rail yard at RCP and a new entrance road and utility corridor at the Agribusiness Park.

Requested Action:

Seeking approval to enter into agreement for the 2025 Erie County Public Benefit Services contract of up to \$250,000 to support ILDC land development activities.

BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION

RESOLUTION

A regular meeting of the Buffalo and Erie County Industrial Land Development Corporation ("ILDC") was convened on Wednesday, April 23, 2025 at 12:30 p.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC") AUTHORIZING THE ILDC TO ENTER INTO A FUNDING AGREEMENT WITH THE COUNTY OF ERIE ("COUNTY") FOR OPERATIONAL AND OTHER COSTS ASSOCIATED WITH THE ILDC'S LAND DEVELOPMENT ACTIVITIES AS MORE PARTICUALRLY DESCRIBED HEREIN

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (the "ILDC") is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended, to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

WHEREAS, the ILDC requires funding for operational and other costs associated with the ILDC'S land development activities, including, but not limited to (i) the development of new roadways in the Odell Street and Ridge Road corridors (the "RCP Roadways"), and the relocation of the WYE Rail Yard (the "WYE Rail Yard Relocation") at the Renaissance Commerce Park, and (ii) a new entrance road and utility corridor at the Agri-Business Park (the "Agri-Business Park Work," and collectively with the RCP Roadways and WYE Rail Yard Relocation, the "Project Operational Costs"); and

WHEREAS, the ILDC does not have sufficient cash reserves in its general fund to pay for, in the first instance, the Project Operational Costs, and the ILDC has requested funding from the County of Erie (the "County") to fund or assist with funding the Project Operational Costs; and

WHEREAS, the County desires to fund the Project Operational Costs, and allocated \$250,000 in funds from the 2025 County Budget for the purpose of funding the Project Operational Costs (the "County Funds"), and to facilitate the award of such funds, the County requested that the ILDC enter into that certain 2025 Erie County Public Benefit Services Contract (the "Funding Agreement"); and

WHEREAS, with respect to the Renaissance Commerce Park, and in compliance with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), the ILDC, acting as SEQRA Lead Agency (i) on May 27, 2020, accepted a Draft Generic Environmental Impact Statement for the Renaissance Commerce Park Master Plan (the "RCP DGEIS"), (ii) on September 23, 2020,

accepted and issued a Final Generic Environmental Impact Statement for the Renaissance Commerce Park Master Plan (the "RCP FGEIS"), and (iii) on October 28, 2020, issued and adopted its Findings Statement for the Renaissance Commerce Park Master Plan (the "RCP Findings Statement" and collectively, with the RCP DGEIS, and the RCP FGEIS, the "RCP ILDC SEQRA Findings"); and

WHEREAS, with respect to the Agri-Business Park, and in compliance with SEQRA, the ILDC, acting as SEQRA Lead Agency (i) on November 27, 2023, accepted a Draft Generic Environmental Impact Statement for the Agri-Business Park Master Plan (the "Agri-Business Park DGEIS"), (ii) on May 29, 2024, the ILDC accepted and issued a Final Generic Environmental Impact Statement for the Agri-Business Park Master Plan (the "Agri-Business Park FGEIS"), and (iii) on June 24, 2024, the ILDC issued and adopted its Findings Statement for the Agri-Business Park Master Plan (the "Agri-Business Park Findings Statement" and collectively, with the Agri-Business Park DGEIS, and the Agri-Business Park FGEIS, the "Agri-Business Park ILDC SEQRA Findings"); and

WHEREAS, with respect to the WYE Rail Yard Relocation, and in compliance with SEQRA, on April 23, 2025, the ILDC, acting as SEQRA Lead Agency, issued a Negative Declaration pursuant to 6 NYCRR 617.7 (the "WYE Rail Yard SEQRA Findings").

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:

- Section 1. County Funding. The ILDC hereby accepts and approves the grant of County Funds for the purposes of funding the Project Operational Costs, and authorizes the President/CEO, in consultation with the ILDC's general counsel, to negotiate and execute the Funding Agreement with the County in furtherance of effectuating the grant of the County Funds.
- Section 2. SEQRA Determinations. The ILDC hereby determines that no further SEQRA compliance is required pursuant to 6 N.Y.C.R.R. Section 617.10(d)(1) because the Project Operational Costs with respect to the RCP Roadways and Agri-Business Park Work, respectively, are related to activities that will be carried out in conformance with the conditions and thresholds established in the RCP ILDC SEQRA Findings and Agri-Business Park ILDC SEQRA Findings, respectively.
- Section 3. Additional SEQRA Determinations. The ILDC hereby determines that no further SEQRA compliance is required pursuant to 6 N.Y.C.R.R. Section 6 NYCRR 617.7 because the Project Operational Costs with respect to the WYE Rail Yard Relocation are related to activities that will not result in any significant adverse impact on the environment as established in the WYE Rail Yard SEQRA Findings.
- Section 4. Authority. The officers, employees, and agents of the ILDC are hereby authorized and directed for and in the name and on behalf of the ILDC to do all acts and things required and to execute and deliver all such checks, certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent so acting, desirable and proper to

effect the purposes of the foregoing resolution and to cause compliance by the ILDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ILDC.

<u>Section 5</u>. Any and all actions heretofore taken or authorized by the ILDC and/or its officers, employees and agents with respect to this resolution are hereby ratified, approved and confirmed in all aspects.

<u>Section 6</u>. This resolution shall take effect immediately.

Dated: April 23, 2025